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MEMOIR

OF

WILLIAM MADISON PEYTON,

OF ROANOKE,

TOGETHER WITH SOME OF HIS SPEECHES IN THE HOUSE OF DELEGATES OF VIRGINIA, AND HIS LETTERS IN REFERENCE TO SECESSION AND THE THREATENED CIVIL WAR IN THE UNITED STATES, ETC., ETC.

BY

JOHN LEWIS PEYTON,

Author of "The American Crisis, or pages from the Note-book of a State-agent during the Civil War;" "Over the Alleghanies, and across the Prairies;" "The Adventures of my Grandfather," etc., etc., etc.

"Every man has a history worth knowing."

RALPH WALDO EMERSON.

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CONTENTS.

CHAPTER I.

His birth and early education—Staunton in 1805—The Chancery Court—Legal men of that day—Memorable ana—War of 1812-15—He wishes to join the army and follows volunteers—His mother's death and character—Jefferson's rules of health, etc.—The Staunton academy—His course there . . . 1

CHAPTER II.

Princeton University—His rapid progress in this place—Combat with Thomas Van Bibber—Celsus on the preservation of health—Whig society—He wooes the muses—His manly conduct 16

CHAPTER III.

Life at Montgomery Hall—His love affair discovered—Colonel Stuart's memoir—Staunton founded by John Lewis—Superstition of the early inhabitants—Judge Allan Taylor—The Old Stone house—Life in Virginia before the introduction of railways—Changes wrought by time 27

CHAPTER IV.

He enters Yale College—His career there—Influence on his opinions by reason of a residence in the north—Dr. Sims' opinion of his character—He studies law—His travels and adventures—Singular incident of life in Florida—His want of ambition—Singular scene at Huntersville, where he burns his clients bonds—His love of nature 43

CHAPTER V.

His life on returning from Yale—Amusing occurrence at General Jackson's dinner table—Jackson's dogma "to the victors belong the spoils" and its corrupting effects—John H. Peyton's speech against a horse-thief, and William Peyton's singular defence of the accused—Sketch of Chapman Johnson junior—His advice to a young man whose marriage is opposed . 61

CHAPTER VI.

Leaves the Hot Springs and settles in Roanoke—Society there—His home and life in that place—He is elected to the Legislature; nominates W. C. Rives for the U. S. Senate—He writes an address on the subject to the people of Virginia—Text of the address 85

CHAPTER VII.

He is re-elected to the Legislature—General aspect of the State of Virginia—Physical divisions and the political divisions created thereby—Opposition of Eastern Virginia to internal improvements, a system advocated by the western counties—His speech in favour of a general system 129

CHAPTER VIII.

The author's first visit to his brother in Roanoke—Primitive style of travelling in Virginia—His valet Ned Phipps—Scenery on the route—William Peyton's domestic life—Kind treatment of his slaves, etc.—Colonel William L. Lewis and his discussions on religion and politics with John H. Peyton—A catholic church established in Monroe, etc. 166

CHAPTER IX.

History of the public lands of the United States—How augmented by the purchase of Louisiana and Florida, and the English defeat of the French Canadians—Colonel Peyton's speech in reply to General Bayly, and advocating a distribution among the States of the money arising from their sale . . 186

CHAPTER X.

Popular education and free schools in Virginia strongly urged by Colonel Peyton—His views on the subject of education and the bad effects of ignorance in ancient and modern times—Mr. Jefferson's plan for educating the masses—A man up to the times 200

CHAPTER XI.

He is defeated in the next election and retires from public life—Course of Thomas Ritchie and Bowyer Miller—It is not the most deserving who are elected by the people—Trickery and demagoguism often controlling the polls—His eloquent resolutions in favour of Henry Clay's election to the Presidency—His life on his estate—He discovers channel coal and some of its properties—Foundation of the town of "Peytona" . 209

CHAPTER XII.

Signs of a revolution in the U. S.—The Presidential election of 1860—Lincoln elected—S. C. secedes—The president calls out 75000 men—Virginia secedes and the war begins—Colonel Peyton's eloquent letter to Mr. Rives 235

CHAPTER XIII.

Colonel Peyton under surveillance in New York—Lives with his old friend Dr. Sims—He writes a second letter to W. C. Rives in which he announces the new position in which southern men have been placed by the course of the President—He advises Virginia to take an attitude of armed neutrality—His analytical review of Mr. Lincoln's policy. 277

CHAPTER XIV.

His escape from New York and arrival in Canada—Journey thence to the north-west and south through Ohio, Indiana and Kentucky—Political situation in Kentucky and Tennessee—Battle of Millmount and death of General Zollicoffer and Captain Balie Peyton, junior—His gallant conduct on the field of battle—His fathers sword in the Capital of Minesota—Colonel Peyton reaches his home in Virginia and gives his property and employs his pen in the Confederare cause 290

CHAPTER XV.

His death—The hope derived from the demise of such a man 301

APPENDIXES.

A.

Abridged pedigree of the Peyton family . . . 310
Isleham Hall—Priory and Church in 1870 . . 337

B.

Memoranda of the Preston family 355

C.

Abridged pedigree of the Lewis family 375

D.

Extract from pedigree of the Washingtons . . . 380

MEMOIR

OF

WILLIAM MADISON PEYTON,

OF ROANOKE.

CHAPTER I.

The pithy remark of Taylor, in Philip Van Artevelde, that the "world knows nothing of its greatest men," is so universally accepted in the present day, as to have passed into an axiom. And never has its force and beauty been more impressed upon my mind than when contemplating the life and character of the subject of this sketch. Of him it may be said that he was a great man in all that constitutes true greatness. A man of comprehensive ideas, deep sympathies and generous impulses, which took the form of noble deeds;—a man of varied endowments, cultivated intellect, extensive learning, and refined tastes and affections, who wielded a powerful influence on the circle in which he moved, and upon all with whom he came in contact;—a man always mentioned by his friends and acquaintances with

affectionate respect and as one gifted with the inspiration of genius. Yet few beyond the limits of his native state have heard his name or known ought of his life. To me the office of rescuing from unmerited oblivion the character of such a man is too grateful to be neglected. A higher motive, however, directs my course than the gratification of personal feelings. His character was singularly instructive, and, while the life of a good man cannot be written without pleasure, it is equally true that it cannot be read without improvement.

William Madison Peyton, of Roanoke, Virginia, was the only child of John Howe Peyton, of Montgomery Hall, by his first wife Susan, daughter of William Strother Madison * and was born September 4th, 1805, in Montgomery County, Virginia, where his mother was at the time on a chance visit. Descended from an ancient noble family on the father's side,† he had the good fortune to be related by blood through his mother to some of America's greatest men ‡. At the period of

* William Strother Madison was the nephew of the Right Reverend James Madison, D.D., Bishop of Virginia, and cousin to the celebrated author of the "Constitution," *James Madison*, fourth President of the United States, and married Elizabeth Preston, daughter of William Preston, of Smithfield, Montgomery County, Virginia.

† See Appendix A.

‡ Among others, he was cousin to the celebrated Presbyterian Divine, Robert J. Breckenridge, of Kentucky; to Major-General John C. Breckenridge, late Vice-President of the United States; to the stern patriot, John Brown, of Kentucky, a member of the Continental Congress in 1787, and eighteen years United States Senator for Kentucky, after the Independence of his country was achieved; to the eloquent governor James McDowell, of Virginia; to the great South Carolinian Orator, William Campbell Preston; to General James Patton Preston, Governor

his birth, our revered father, then about twenty-seven years of age, was a rising barrister on the Fredericksburg circuit, and resided in the neighbourhood of that city and of his birth place "Stoney Hill." Four years subsequently he removed to Augusta Co., which was ever after his home, and from which he was never long absent, except under the following circumstances.

At no period since the existence of a misunderstanding and controversy between Great Britain and the United States, on the subject of what was styled "The Right of Search," had the excitement in America attained the height it did in the winter of 1811-12. The signs of approaching war were numerous and unmistakeable. The British Government claimed the right to impress native-born British subjects, though they had become naturalized American citizens, found on American national vessels as well as from merchantmen. This lamentable extravagance on part of the English Cabinet caused no small irritation in the United States, and it became—sooner than was imagined in Downing Street—a matter of grave importance how the question might be disposed of peaceably. Both Presidents Jefferson and Madison pointed out that to accomplish it by treaty the susceptibilities of the American people must not be offended by the slightest concession on a point which touched their honour. Jefferson, however—

of Virginia; to Hon. Francis Preston Blair, of Missouri; to Thomas F. Marshall, M.C. for Kentucky; to Benjamin Howard, Governor of Missouri; and to Robert Wickliffe, M.C. for Kentucky.—See Appendix B., a reprint of Orlando Brown's "Memoranda of the Preston family," Albany, New York, 1861.

such was his desire for peace—opened negotiations with Great Britain on the *vexata quæstio* as early as 1806. The negotiations failing, and a collision arising out of the British claim, between the United States frigate *Chesapeak* and the British frigate *Leopard*, in 1807, in which the British were worsted, the Government of Mr. Jefferson once more sought to arrive at a pacific solution of the dificulty, and a treaty to this end was signed by the representatives of the two Governments in London during the winter of 1807-8. Immediately thereafter it was transmitted to Washington, but owing to some of its vague features, President Jefferson signified to Congress his refusal to ratify it on the 18th of March 1808. Meantime, Great Britain had opened that series of attacks upon neutral rights known as the "Orders in Council," in retaliation for which Napoleon issued his equally aggressive Berlin decrees of 1806-10. Jefferson determined to follow the example of the French, and an embargo was declared in 1807, but was shortly afterwards revoked. Then non-intercourse or non-importation acts with regard to Great Britain were passed by the American Congress. Indignation and excitement still increasing in the United States, President Madison was re-elected, on condition that he would declare war against England, and on the re-assembling of Congress, after this election, a new embargo was laid, an increase of the army voted, and other steps taken as preparation for war. On the 1st of June, President Madison sent a war message to Congress, and, in accordance with his views, war was

declared by the United States against Great Britain on the 18th of June, 1812.

The nation was much divided on this policy. By the opposition party, the main strength of which was in the Northern and Eastern States, it was considered as a mere administration measure, resistance to which argued no want of patriotism, but quite the contrary; and so from the beginning to the close of hostilities the Federalists did all they could to stay the course on which they thought the Government was driving to destruction. The Hartford Convention met, and some of the New England States went so far as to nullify an Act of Congress regarding enlistments. During all this time the country was in great want of resources, which nothing but unanimity could supply. The army was but a handful, and the militia, instead of coming forward in large numbers, remained at home to attend party meetings and discuss the right of the Government to call them out; the supply of war material was very scanty, and the treasury almost empty.

Such was the unpromising state of affairs, when my father, who had voted for Mr. Madison and warmly supported the war policy, came forward and exerted every energy of mind and body to stir up popular enthusiasm in support of the war. He volunteered at once into the army, to serve until peace was proclaimed, and was immediately appointed Chief of the Staff of General Robert Porterfield. Forgetting everything but his duty to his country, which, with the patriot is paramount, he abandoned his lucrative practice, which

more selfish men greedily sought to appropriate, and left his wife and family in order to join the army in Eastern Virginia, with the active operations of which he was identified until the declaration of peace, February 17th, 1815.

But to return from this digression. In 1809, when our gallant father changed his residence to Augusta, Staunton was already a considerable place and the seat of the Superior Courts of Law and Equity for Western Virginia, the jurisdiction of the Chancery Court, extending south 300 miles to the Tennessee frontier, and west about 400 miles to the Ohio River. To lawyer and litigant alike, it was, therefore, not only the most interesting, but the most important point west of the Blue Ridge. To its quiet streets and attractive suburbs the principal members of the profession throughout Virginia were periodically drawn at term time. Among the most conspicuous legal men of those days who attended these terms were George Hay, author of "Hortensius" and other political tracts, George Wythe, Philip Doddridge, Edmund Randolph, William Wirt, author of the Life of Patrick Henry and of "The British Spy," John Marshall, afterwards Chief Justice of the Supreme Court of the United States, Henry Peyton, James and Philip P. Barbour, and among the junior members of the bar, who were always present and subsequently became eminent lawyers, were Benjamin Watkins Leigh, John Wickham, Littleton W. Tazewell, Mr. (afterwards Judge) Coulter, Chapman Johnson, Briscoe G. Baldwin,

Samuel Blackburn, Henry St. George Tucker, author of a "Commentary on Blackstone" and Stirling Claiborne. Neither railroads nor steamboats then existing, Judges, Chancellors, and Lawyers often travelled hundreds of miles on roads little better than Indian war paths, in ricketty stage coaches, or on horseback, carrying their briefs in portmanteaux or saddle bags. Their physical powers were as sorely tried by the profession, as their mental energies, and a sound mind in a sound body was indispensable to the successful practitioner. One of the egal lights of that day was the late Daniel Sheffey, who was wont to say, there was nothing like leather. He was a man of excellent abilities and remarkable energy. Exerting both these qualities, he rose from the bench of a journeyman shoemaker to a seat in Congress and the front rank of his profession. Mr. Sheffey facetiously used to remark, in his later life, that when he was a young man the most important preliminary for the legal tyro was not the study of Coke and Blackstone, but (Mr. Sheffey drew his joke from his trade) the *tanning of his cuticle*, a precaution which one of his clients observed would certainly lessen the pains of horsemanship, but render the gentlemen of the long robe insufferable, if their brazen airs increased as their hides toughened.

It did not unfrequently happen that the "bench and bar" must swim across rivers and pass over high and rugged mountains to attend term; and it is related among the *ana* of this period that a solicitor to whom a horse was sold with a warranty that "the animal possessed the usual qualities of a riding horse," brought

an action and summarily recovered damages, the fact transpiring after the sale, that the horse was unable to swim. Inasmuch as the lawyer had been detained from a term of the court by reason of this defect, the jury mulcted the defendent in heavy damages, requiring him at the same time to receive back the comparatively useless animal.

To this important town of Staunton, the centre of all that was learned in the law, our respected father was called by his appointment as public prosecutor in 1808, and was now reaping the honours and rewards of his profession. Absorbed by these duties, he could give little of that care and attention to his son's education which my grandfather had bestowed upon his. His wife, however, a woman of energy and experience combined with rare good sense, and whose nature was tempered with singular tenderness of affection and adorned by much simplicity of character, a freshness of wit and an unfailing cheerfulness, which made her the delight of every circle, qualities which were transmitted with exceptionable fidelity to her son, undertook and performed this task. His mind was early stored by her with useful knowledge, his heart fortified with generous principles, and his passions regulated by discipline. She sought to make him good rather than great, believing that nothing can make a man truly great but being truly good. She had none of the ambition and worldly-mindedness of the mother of Zebedee's children, who brought her two sons to Christ, and said: "Grant that these may sit, the one on Thy right hand and the other

on the left, in Thy Kingdom. "She was wiser than that mother whom the Saviour so sharply reproved for her haughty spirit, by saying: "Ye know not what ye ask." She understood too well that the wings of Icarus are but the instruments of self destruction to the simpletons who try to soar away upon them; "that it is better to be of an humble spirit with the lowly, than to divide the spoil with the proud."

In his fifteenth year he had the misfortune to lose the guardianship of this excellent woman. The illness which terminated her life was sudden and unexpected. She had long been in delicate health. This had, however, at no time given rise to symptoms causing much anxiety. The melancholy event overwhelmed the world of Staunton, where she had made hosts of friends, with grief. She was a dear and admired friend and her body, says one of those present, was followed to the tomb by multitudes, who responded to the sad summons with tears and marks of sympathy.

Mrs. Susan Madison Peyton often spoke with a mother's pride and affection of the obedient, truthful, and ingenuous character of her son, remarking that he had never, save upon one occasion, deliberately defied her authority. This occurred in his tenth year, when, during the war of 1812-15 between England and the United States, a call was made for volunteers. Our patriotic father, who had been two years in the service, returned on furlough, from Camp Holly, near Richmond, to pass a few days with his family. During this short leave he was actively engaged recruiting, and a number

of young men were enrolled in the service. On his arrival at home, he presented my brother with a fowling-piece, purchased in Richmond. William was greatly delighted with this plaything, and was the whole day "banging away" at beast and bird.

Some of Napoleon's biographers have endeavoured to account for his sanguinary tastes and love of war, by the supposition that these were called forth and stimulated by a dismounted field-piece, which he used in his childhood as a plaything. If there be any truth in this account, which I doubt, it is possible that William Peyton's fowling-piece and the smell of villanous saltpetre aroused in him something of the like martial spirit, for he was quickly seized with a desire to join the Augusta forces and proceed to the seat of war. The idea was simply ridiculous, and its absurdity was explained to him by his mother. Inexpressibly disappointed, chagrined, and mortified, he held his peace and waited an opportunity. Next morning our father bade farewell to his family, giving much good advice to my brother. The substance of this was contained in the celebrated President Thomas Jefferson's ten good rules to be observed in practical life, a copy of which he left with William. With Mr. Jefferson our father had been on terms of intimate friendship for many years, always passing a night at Monticello when attending the superior court of Albemarle, and having been Mr. Jefferson's counsel in the Rivanna canal and other suits.

Mr. Jefferson's rules, which my brother committed

to memory, but which I doubt whether he governed himself strictly by, were:

1. Never put off till to-morrow what you can do to-day.
2. Never trouble others for what you can do yourself.
3. Never spend your money before you have it.
4. Never buy what you do not want because it is cheap.
5. Pride costs us more than hunger, thirst, and cold.
6. We never repent of having eaten too little.
7. Nothing is troublesome that we do willingly.
8. When angry, count ten before you speak: if very angry, one hundred.
9. Take things always by the smoothest handle.
10. In all cases when you cannot do as well as you would, do the best you can.

After my father's farewell, he took command of the recruits and proceeded by forced marches to the front. The day following, my brother was missed. A diligent search failed to disclose his hiding place. Messages were despatched in pursuit towards Richmond, his old nurse declaring her belief that he had followed the "sogers." On the next day they came upon him twenty-five miles from home on the Eastern slope of the Blue Ridge mountain, When overtaken, he was sitting, apparently in meditation, munching a piece of salt pork, among a party of teamsters belonging to the supply trains, covered with dust, wearied and foot sore, his fowling piece loaded lying by his side. Though nearly exhausted in body, his resolution was as determined as ever to follow the troops, and stand up, as he said, for old Virginia. He seemed to think his country in dire extremity. Like his companions, the teamsters, he believed, however, that she would emerge from the storm and have a brilliant future. For himself, he

asked no recompense, but to serve her, to fight for her. Such were the notions already floating through his juvenile mind. Was this patriotism? Could such sentiments find a place in the breast of one so young or had the smell of gunpowder and the fowling-piece aroused the spirit of war in his bosom? He was at once taken prisoner and borne home in the most inglorious manner. Finding on his return, his mother ill and in tears, he was deeply grieved at his behaviour; his conscience, indeed, seemed to overwhelm him with reproaches. Becoming at once sensible of the reckless cruelty of his foolish conduct, he made every apology and atonement in his power; sought to soothe her with a voice and manner of touching sorrow, and ever after was the most affectionate and obedient of sons. It is not, surprising then, that he was the darling of her heart.

It may not be here out of place to anticipate and to remark that from this period, throughout life, deference to his parents was one of his leading traits. He honoured them by loving them, confiding in them, obeying them, abstaining from whatever was disagreeable to them, and doing everything in his power to promote their comfort and happiness. After the loss of his mother, and our father's second marriage to one of her cousins, Anne Montgomery Lewis, daughter of Major John Lewis, of the Sweet Springs, a distinguished officer of the American revolutionary army, and grandfather of the writer, he extended to her, not only deference and respect, but a truly filial affection. My mother was,

therefore, soon warmly attached to him, and taught her children to love him before they learned to do so for his own qualities, for the variety of his endowments and the extent of his accomplishments, as they were developed to the family in after years. My affection hurries me on. I pause, and ask myself why I speak of his great accomplishments. Can any human knowledge be all-comprehensive? The most eminent philosopher is of yesterday, and knows nothing. Newton felt that he had gathered but a few pebbles on the shores of a boundless ocean. The moment we attempt to thoroughly penetrate a subject, we learn that it probably has unfathomable depths. That which is known is the prelude to the infinite unknown. Every discovery gives us a glimpse of greater things to be discovered. In everything, from the grain of sand to the stars, the wise man finds mysteries before which his knowledge sinks into insignificance. It must be understood that the idea sought to be conveyed is that his attainments were vast only in relation to those of other men.

In his twelfth year he entered, as a pupil, the Staunton Academy, then under a head master of the name of Fuller, a man of much learning and of a plodding character. Here he remained four years and was quickly distinguished for his superior parts; was known

> "As a sharp witted youth—
> Grave, thoughtful, and reserved among his mates,
> Turning the hours of sport and food to labour."

The common recreations of volatile youth, the games invented to kill time without improvement, he never enjoyed; but sought for higher gratification in science

and meditation. It soon became a common remark of his teachers and acquaintances, that he was "a boy of singularly gifted intellect." He spoke at this time with peculiar vivacity and fluency, was already brilliant in his juvenile wit, and quick in the acquisition of knowledge. His liveliness too, was not the noisy accompaniment of emptiness, but the offspring of a rich imagination. It may not be out of place to mention here that at this time, and indeed throughout life, his health, like that of his mother, was delicate—at times alarmingly so. This may account in a measure for his neglect of sports and his studious habits. At the Academy he was obedient and industrious, and manifested in his every act a kind and affectionate disposition, which was combined with a rare uprightness and love of truth. Such was the sweetness of his temper, his amiability and readiness to oblige, his simplicity of character and thorough ingenuousness, that he won the affectionate confidence of all with whom he came in contact. His influence, as will be readily inferred, over his youthful companions was marked, and was solely due to his superior power, his firmness and moderation, and not to any bullying or self assertion. To the youngest and weakest he always acted as the kindest and humblest brother. Like the apostle of old, he was gentle towards all, even as a nurse cherisheth her children. Consequently the intimate connections formed in his boyhood were never relaxed or broken through life. On the contrary he was noticed for maintaining among men throughout

life the ascendency which he acquired at school over his youthful companions. Possessing a clear judgment and a fund of common sense, he was always able to give his young companions sage counsel and to extricate them from the little difficulties of the daily course. Many a time he was seen, during this period, in the play grounds of the school, the centre of a circle of lads, with whom he conversed about their studies, thus lightening their labours and clearing away their difficulties. His frank and kindly manner, his tenacity of principle and feeling, his power of belief, the entire absence of cynicism, all of which he displayed at that early period, invited the confidence of all his companions. In their little griefs and sorrows his schoolfellows appealed to him, and such was his joyous, buoyant spirit that he never failed to soothe and comfort them. It is not surprising, then, that he exerted the most salutary influence in the Academy. At this school he obtained a good classical and mathematical education, and was considered so mature, both in character and attainments, that he was, in 1822, withdrawn, and matriculated at the University of New Jersey, Nassau Hall, Princeton, whither we will follow him in the next chapter.

CHAPTER II.

In order to understand and fully appreciate the character of the promising boy introduced to the reader in the preceding chapter, it is expedient to follow him from the school in which he began to climb the hill of knowledge to the University of New Jersey, and to dwell briefly upon his career in that place.

This northern institution had long been a favourite with the southern people, and especially those of Virginia, as it still is. Many of the leading Southern States scholars and politicians of the past century and early part of the present were educated at Princeton. Among them was Archibald Alexander, an eminent author and divine; his sons James and Joseph Addison Alexander, scarcely less distinguished; John Macpherson Berrian, U.S. Senator for Georgia; William Gaston and Nathaniel Macon, of North Carolina; Robert J. Breckenridge, of Kentucky; Charles Fenton Mercer and John Peyton, of Virginia, and many others. And our father himself was one of the *Alumni*, having been graduated M.A. in 1797, in the same class with Richard Rush, late minister Plenipotentiary from the

United States to England, and author of a well known book entitled "Memoranda of a residence at the Court of London from 1817 to 1825."

For these reasons it was selected rather than the college of "William and Mary" in Virginia, which was in a declining state, probably owing to the unhealthy climate of Williamsburg; but of which institution our paternal grandfather John Rouse* Peyton, was a graduate. The course of study in the University of New Jersey is comprehensive, embracing Hebrew, Greek, Latin, and the modern languages, mathematics, natural and moral philosophy, ethics, etc. Notwithstanding his youth, my brother's scholastic attainments put him at once in an advanced position in the University, and during his second year he rose to the first distinction as a scholar. His diligence gave perfect satisfaction to his tutors, by whom he was both loved and respected. The noble features of his character, too—his open, affable, manly, and cheerful disposition and his active habits—made him a general favourite, not only with his teachers and fellow students, by whom he was regarded as a model, but by all his acquaintances, whether in the college or out of it. He seemed ever to have engraven upon his mind that sacred rule "do all things to others, according as you wish that they should do unto you." He was absolutely without any of the dissimulating in youth, which is the

* This name has been spelt in several ways, thus: Rous; Rouse, Rowse, or Rowze (as by Dr. Lodwick Rowze, author of "The Queenes Welles" London 1630), and Rowzée.

forerunner of perfidy in old age. His manners were natural and engaging, free from anything like affected politeness, and were marked by much courtesy of demeanour. A friend and contemporary at Princeton, John Randolph Bryan, of Gloucester County, Virginia, once informed the author, as they were sailing up the James River from Norfolk to Richmond in 1848, that he regarded William Peyton while at college as the finest pattern he had ever known of the thorough conservative high-toned gentleman. In a letter addressed to the author, in 1856, by the distinguished writer, N. Parker Willis, he spoke of him, when they were fellow students in Yale, in the same terms of commendation. Mr. W. held him to be a man of genius, whose failure to achieve greatness he would have deemed a marvel, but that he knew the race was not always to the swift, nor the battle to the strong.

His influence in preserving order, or stilling storms, among the Princeton students was of great service to the faculty. On occasions when disorders were apprehended from rough and reckless students, and the combinations they formed among the idle, the dissolute, and refractory, the masters applied to him, and through his exertions many a disturbance was avoided. Such in fact was his success in this way, arising from the power of influence he possessed, that the epoch of his college life was marked as one of the most quiet and respectable which had for many years occurred.

It was soon discovered at Princeton that he had a warm imagination, a feeling heart, and keen passions.

These latter were, however, under such control that they did not betray him into idleness, sensuality, or any of the usual vices of youth. From his earliest years, indeed, he seemed imbued with the necessity of acquiring virtuous habits. So much was he noted for his pure and lofty principles, that he was, while yet in his teens, the subject of remark, some attributing his excellence to the training of his parents, particularly to the influence of his mother, while others believed they were innate; for in whatever he undertook he was guided by the principles of virtue; they formed so essential a part of his character that through life he inspired all with whom he came in contact with perfect confidence, and consequently could not fail to exercise great influence. And it may be said with truth that the world at no period of his life ever narrowed or debased his affections, but his virtuous youth led to an accomplished manhood and tranquil old age.

If the newspapers of Virginia be consulted during the period of his public life, it will be found that those journals, of whatever political complexion, and however heated the contest might be, always spoke of him with the utmost respect, and paid high tribute to his talents, but above all to his lofty personal character. It is a matter of deep regret to the writer that none of these papers are contained in the library of the British Museum, or can now be procured, else many interesting extracts would be adduced to illustrate the esteem in which he was held by the people of his native State. It is not too much to say that in after life his honesty

and straightforwardness, his invincible fortitude, gave a vigour to his mind, a weight to his character, and a nobleness to his sentiments, which exalted him to the highest fame among the gentlemen of Virginia. With those who were near him, his personal popularity was unbounded, yet he never resorted to a dishonest act or stooped to the slightest meanness. There are but few public men of whom this can be truly said! It is proper that I should say on this subject, that, though singularly amiable, he never neared, or much less fell into, that vicious prostitution of mind in which a man has no will, sentiment, or principle of his own. So far from wanting the courage to avow his opinions, however distasteful they might at times be, his openness of character caused him often to display a generous, almost reckless boldness, in their expression.

His physical and moral courage, it should not be forgotten to mention, was, as may be readily imagined, soon proved to be equal to his frankness, and was of the heroic type. In illustration of which it may be related that on his return to Yale in his nineteenth year, when he was over six feet in height and of great bodily strength, he fought with and overcame, after a severe contest, Thomas van Bibber, known as "Big Tom" an intrepid fighting cock and recognized Athletæ.

His health was so much impaired by the end of his second year's residence at Princeton, his physical system so unstrung by close application to books, that he was withdrawn, and he returned to pass some time in the pure, dry atmosphere of Western Virginia. This course

was deemed necessary for his restoration to health, and the result was highly complimentary to the hygienic qualities of the mountain air. A few months spent in the Alleghanies, far from his studies and confinement, and near the trout stream and the hunting ground, enabled him to recover his customary tone and vigour, and at the end of six months he resumed his labours.

On his return to college, our wise father gave him the following abstract of the advice of Celsus, with respect to the preservation of health. "A man," says he, "who is blessed with good health, should confine himself to no particular rules, either with respect to regimen or medicine. He ought frequently to diversify his manner of living; to be sometimes in town, sometimes in the country; to hunt, sail, indulge in rest, but more frequently to use exercise. He ought to refuse no kind of food that is commonly used, but sometimes to eat more and sometimes less; sometimes to make one at an entertainment; sometimes to forbear it; to make rather two meals a day than one, and always to eat heartily, provided he can digest it. He ought neither too eagerly to pursue, nor too scrupulously to avoid, intercourse with the fair sex; pleasures of this kind, rarely indulged, render the body alert and active, but when too frequently repeated, weak and languid. He should be careful in time of health not to destroy, by excess of any kind, that vigour of constitution which should support him under sickness."

Notwithstanding the youth's amended health, our prudent father determined, upon the advice of his

family physician, the late William Boys, M.D., of Staunton, a noted provincial member of the profession, and a descendent, I believe, of the Boys, of County Kent, in England, so many of whom have found a sepulchre in Canterbury Cathedral, to send him farther north, to the more bracing air of Connecticut. He was accordingly entered at Yale College, in 1824.

As a proof of the high estimation in which he was held at Princeton, it may be mentioned, that when it was known that owing to ill health he would not return to the University, the authorities wished, in consideration of his fine scholarship and exemplary deportment, to confer upon him the degree which he would have obtained had he remained there two years longer. Indeed they were prevented from doing so only by the statutes of the Institution, which were found, on close examination, to prohibit that course, and also William Peyton's declared purpose not to accept such a degree. The Whig Society, however, a literary association and debating club to which he belonged, conferred upon him the honour reserved for their most distinguished members, and though he refused this mark of appreciation from his comrades also, the society dispatched to our father, in Virginia, the diploma my brother would not accept. This document, handsomely framed, long graced the walls of the library, at Montgomery Hall, and is now (1873) in the possession of my eldest sister.

It was the opinion of the litterateurs of Princeton that the peculiar faculty of acquiring languages was developed in him in the highest degree, and that he

would rival the fame of Crichton, Walton, Pocock, Sir William Jones, Mezzofanti, or any of the great English or continental linguists. Some of the accounts, indeed, of his feats at this day are so remarkable that I am disposed to regard them as legendary, such as the stories told of Buddha and Mahomet, the first of whom is said, at the age of ten years, to have taught his master Babourenon, fifty non-Indian tongues and their respective characters, while the second, according to his biographer Prideaux, was promised before the throne of the most High that he "should have the knowledge of all languages."

At the period, when he left Princeton, his personal appearance was that of one who had grown too rapidly into manhood. He was tall and slender. In his movements, however, he was easy, graceful, and firm, withal showing the nobleness of his origin. His hair and complexion were light brown, the forehead broad and expansive, his nose aquiline, his eyes dark blue and brilliant, and the appearance of his whole person pleasing and dignified. His mind had rapidly expanded at Princeton, and he now showed a keen penetration, clear judgment, and comprehensive intellect. He added to these the talent of wit and ridicule in a remarkable degree, recited admirably, possessed a rich fund of anecdote, an easy flow of words, and high animal spirits, and improvised verses and epigrams. The first efforts of his genius, in fact, seemed to be in the direction of the muses. Unrestrained at this early day by the coldness of argument

and the confinement of rules, his mind seemed gladly to indulge in flights of imagination, a thing not uncommon with men of genius. Indeed an early taste for the beauties of poetical composition is in my opinion an almost infallible mark of a refined and elegant mind. Cicero, Valerius, Cato and other ancient philosophers, orators, and historians, are known to have sacrificed to the muses in their earlier productions. This talent for versification sometimes led him into difficulties. On one occasion, previous to his return to Yale, he wrote some verses upon an entertainment given by an old lady of Staunton. She was a connection of the family, and he had been accustomed to call her *aunt*, though she was really no relative. At this party, to the surprise of the small fry, and the disgust of the young gentlemen, the only wine supplied was made by herself from the blackberry, a favourite fruit which flourishes in Augusta. The gay youths expected to sip the juice of the grape in the form of sparkling champagne. This domestic wine is an excellent summer drink, but was not what the fashionable boys expected. When their host provided it, she considered that she was not only conferring a favour, but paying them a compliment. Her well known hospitality. at all events, excluded the idea that in proffering it she was influenced by any mean considerations of economy. "Young America," however, was dissatisfied with the change. These youths were decidedly of the opinion of Diogenes, who, when asked what wine he preferred, answered, "the foreign."

The thirsty popinjays of that day were as fond as those of our generation of the glass which not only exhilarates, but inebriates, and felt the slight in two ways. Their pride was stung, their wrath kindled, and their thirst remained unslaked, at least by the desired champagne. Consequently they set their wits together to be avenged, and persuaded William Peyton to compose a few stanzas, as they expressed it, "suitable to the occasion." Without a moment's reflection, and evidently while inspired by the Blackberry cordial, he complied with their wishes. His lines began somewhat after this fashion :

> This blackberry wine is all very fine,
> But it makes Jack go to bed with his breeches on.

Probably my reader loses nothing by reason of my inability to procure a copy of these lines, which proceeded in a comical vein to eulogize the home-made beverage, but ridiculed its heady qualities, and the wine itself in comparison with *vin etranger*. The verses ran through the town, causing no small merriment. Coming finally with the author's name to the knowledge of the old lady, her wrath was kindled. The verses were sent her by a marplot. She put on her spectacles and proceeded to read them, and, though her anger waxed hot, she could not help exclaiming, as one happy joke after another flashed upon her sight, "Marvellous boy ! marvellous boy." The improvisator called some days later, before his departure for college, when she had somewhat recovered her temper, and in a graceful manner made his peace with his old friend by

explaining the simple circumstances under which the *jeu d'esprit* was perpetrated. Thus, by a display of that frankness and candour which formed so prominent a part of his character, and which education and cultivation only rendered more conspicuous, he disarmed her resentment. Her sense of injury removed, she laughed as heartily as anyone at the vexation of the young people and the sparkling wit of the Quixotic bard. A few weeks later, when he left to resume his academic duties, he was supplied by this generous friend with a case of her best "blackberry," with which, in the midst of his college fellows, he often drank to her health and long life.

It is obvious from this incident that he did not then belong, if he ever did, to that rare class who are never foolish even when they are young; who never cry out when they are hurt; never are driven out of their course by adverse winds, and are always able to see that every thing is for the best. Such people in this world of troubles are not only rare but blessed, and are very unlike the rest of us, who cry out a great deal, and are very foolish generally, not only when we are young, but all our lives.

CHAPTER III.

Were I detailing the life of one whose career had been eventful, I should not occupy the space given in this chapter with what might prove of little interest to the reader. But as few lives worth recording are more devoid of incident, it is not expected that this simple record of his will be adapted to the tastes of those who enjoy only what is now termed sensational reading. As I neither write for, nor expect to please, this class, I shall not omit such minor occurrences in his career as may appear likely to prove useful and interesting to others.

On a fine sunny afternoon of early September, in the year 1825, two young gentlemen dressed in shooting costume were lying on the grass beneath the outstretched branches of an old walnut. This venerable tree threw its grateful shade over an ancient stone building covered with woodbine, honeysuckle, and grape vines, and from which a gurgling stream issued forth. Their fowling-pieces and game-bags were by their sides. This house protected the bubbling spring from which

the supply of water at jolly old Montgomery Hall, the red gables of which were seen amidst foliage about four hundred yards distant, was drawn. Jolly old Montgomery Hall!

> "In that mansion used to be
> Free-hearted hospitality:
> His great fires up the chimney roar'd;
> The stranger feasted at his board:
> * * * *
> There groups of merry children play'd
> There youths and maidens, dreaming, stray'd."

Gushing from the side of a rock, covered with moss and wild flowers, and shaded by waving branches, the fountain, though not large, sent forth a stream of pure, bright water. This rivulet lies in the lap of the rich and partly wooded valley of Peyton's brook, a tributary of Lewis' creek, in the midst of a sea of verdure, for it meanders through meadows, which extend through dale and over gently undulating hill. Overlooked by the high grounds on which the hall stands, and the more distant north mountains, it is the coolest and most picturesque of vallies.

Fatigued from their morning's amusement, the young sportsmen were looking out lazily, almost insensibly, upon this scene of blue and green, and the various beauties soliciting their admiration, the while carrying on a desultory conversation. Both were tall and graceful, and about both there was the charm of happy youth. One of them had black eyes, large, bold, and sparkling, and hair dark as the raven's plumage—this was Jefferson Stuart. The other was brown haired,

blue eyed, and fairer of complexion, was taller and more robust of figure than his handsome companion. He was really his junior by two or three years, and seemed not to have attained his full growth—the darkening down only just shaded a cheek somewhat sunburnt though naturally fair—this was William Madison Peyton. They had gone forth some hours before to shoot partridges, which are plentiful in this section of Virginia. Reaching on their return the beautiful fountain, hot and dusty they quenched their thirst and threw themselves on the grass to indulge, perhaps, in a short siesta. Here they remained some time in silence, apparently listening to the peculiar sounds of the country, which replace the hum of the city, the rustle of the leaves, the waving of the corn, the song of birds, the humming of insects. For some time they did not stir, nor wince, nor speak a word, but remained delighted by the rural sights and sounds. Stuart, whose curiosity had often been excited by the old building, and the numberless names carved upon its sides, rose to examine it more closely. In the act of raising some ivy leaves which covered its hoary sides, he started back with an arch smile, as he saw engraved upon one of the stones, SALLY TAYLOR.

William Peyton, who saw the movement and the smile of his friend, quickly turned away and sent his hat into the air with a squir, then, seizing his gun, he fired at a skylark and, of course, brought down no game. Stuart, who observed his confusion, with that sensitive delicacy for the feelings of others which always characterised

him, said nothing of his discovery, and the two, after a further short delay, went their way merrily.

The town of Staunton, though its foundation does not date anteriorly to the year 1730, when it was traced out by the Huguenot emigrant, Colonel John Lewis, * the pioneer and first white settler of Augusta, has nevertheless, so new is new America, something of the odour of antiquity about it. "Age cannot wither nor custom stale the infinite variety," indeed, of the reminiscences connected with the name of Staunton and its old and noted houses. These houses, like all those which have seen better days, in every ancient town or village, are not unillustrated by their legends of terror. Some are historical, and strange stories they have, some are haunted and with the worst kind of goblins, and there are evenings when one might believe, with Chaucer, that the

> Queen of Faery,
> With harps, and pipe, and symphoney,
> Were dwelling in the place.

Of the houses whose names are written in Virginian history, many thrilling tales are told connected with the

* Colonel Stuart, of Greenbrier, in his Memoir of the Indian Wars, published by his son, Charles A. Stuart, under the auspices of the Virginia Historical Society, in Richmond, 1833, remarks that the river Greenbrier received its name from Colonel Lewis, in the following manner. "The next year, 1778," says Colonel Stuart, "Greenbrier was separated from Botetourt County, and the county took its name from the river, which was so named by old Colonel John Lewis, father to the late General Andrew Lewis, and was one of the Grantees under H.M. Order in Council, who, in company with his son Andrew, explored the country in 1751. He, Colonel Lewis, entangled himself one day in a bunch of green briers on the river banks, and declared he would ever after call the stream Greenbrier river."

bloody border wars. Stories of how they were besieged by the Red-skins, who alternately tried the experiment of burning or starving out the indwellers, of the stratagems and surprises to which they were subjected, and the direct attacks they sustained. The best known and most famous of these old houses was, of course, that of Col. John Lewis, which was not inaptly styled "The Fort." It was built of huge masses of stone, with walls of extraordinary thickness, pierced with windows of slender proportion, and looked more like a fortress than a mansion. The truth is, it was both. Here the brave old pioneer lived many years—indeed till his death in 1762, defending his family and the infant colony from their savage foes. Another of those houses is "Spring farm" mansion, which was built of *adoube* (bricks dried in the sun) by Hessian prisoners taken by the American army during the war of the Revolution. Sent west of the blue mountains to remain during the war, these mercenaries were turned to valuable account. Houses were built, lands drained, private grounds embellished, and roads constructed by their labour.

Of the houses haunted, of spectres still more horrible, stories are told of the spirits of evil and goblins damned by which they are infested. One of these ancient, tumble down buildings—a soot begrimed, leaky-roofed centenarian, occupied by an old woman, whose appearance at an earlier period would have subjected her to the ordeal of fire and water—was the terror in our youth of young folks. In addition to

the venerable occupant, Mrs. Fitzpatrick, it was popularly supposed to shelter a great population of goblins, whose horrible noises oft startled the dull ear of night. The old crone who lived in this desolate and weird house had been married to an improvident man. At his death she was left poor and childless, and continued to occupy her solitary house on the outskirts of the common. Strange reports began to be circulated regarding her and the house. Lights were seen burning in her attic windows, strange sounds were heard in the house at unseasonable hours, her cow gave bloody milk. Soon the stock of the neighbouring farmers was found with tangled and knotted tails and manes, the horses waxed poor, the supply of milk fell off, the cattle caught disease (what is now called the pleuro-pneumonia), the potatoes grew mouldy. These misfortunes were traced to poor Lovie. She was regarded as a witch, and her dwelling as the abode of disembodied spirits, of astral spirits, gnomes, salamanders, and naiads. The young people never passed the cottage without tucking up their garments and veering to the opposite side of the street, especially about nightfall. The belief in ghosts, goblins, and wraiths still lingered among the rustic population, in spite of the schoolmaster and the newspaper. Rarely did these simple folk visit the town without peering furtively round as they passed (if during twilight's hour) the lonely home of Lovie, lest bogles might catch them unawares. Another of these prematurely aged houses—a house whose days seemed numbered, whose space of life was rapidly drawing to a close—was three

stories high, standing between two heavy squalid-looking buildings, having one story each; consequently the beholder might easily acquire the impression that its altitude had been caused by the pressure of its sleepy neighbours. It had four tall, lanky chimneys, which had apparently eschewed smoke for years, and eight front windows. These windows had most of their panes broken, but were all fortified on the inside with ricketty shutters, which excluded light and air, and frustrated the curiosity of passers-by to obtain a view of the interior—save of two small rooms. I might go on describing the peculiarities of this strange building until I had filled pages of my MS., could I but afford the space. It was owned and partly occupied by an eccentric old man, named Bury Hill, who was a cross between a monomaniac and a hypochondriac. This house was, of course, classed among the haunted. Mr. Hill was a grocer, but his principal business consisted in selling inferior whiskey to what our town snobs called low *Irish*. These ignorant sons of Erin feared ghosts, but were never known to shrink from spirits. This singular but inoffensive man, Hill, took quite a fancy to the writer in his boyhood, and often refreshed him in hot weather with "cobbler."* Mr. Hill was supposed to occupy his house in common with "Old Nick" himself. Aged negroes, especially those belonging to the class of nurses, declared that they had seen the hideous salamander

* The sherry cobbler belongs to that catalogue of American drinks which have a nomenclature of their own, and is an iced drink much in request during the summer. Made generally of imitation sherry, it yields only a temporary refreshment. If long indulged in, it is sure to end by destroying the stomach.

there, "ye deville bodilie, being like unto one hugeous black gote, with hornis and taille." In common with the children of the town, I believed these stories, but it did not impair my taste for his cobblers. Oh the charming simplicity of childhood! How rare and refreshing! Who does not long once more for the happy dreams and sweet illusions of youth!

These were not the only, nor the most attractive, houses of which our town could boast. There were many comfortable mansions, with an air of substantial and aristocratic prosperity. Of some of these I will speak presently. The streets of the town itself were narrow, with badly-paved footpaths; the houses generally tall and roofed with shingles—thin boards. An ancient church, with a gray, moss-rusted tower, clothed from base to summit with the Virginian creeper, a decrepid wooden bridge spanning the pebbly creek, and a tottering mill (Fawkler's) near the centre of it, a desolate looking court-house and dreary prison, were, omitting the private residences, the principal features of the town. Such was the borough of Staunton of early days—my native loved old village. It is painful to look back upon a home and social circle broken up, upon a sunny childhood faded, and upon parents lost but unforgotten—upon Virginia dismembered, subjugated, a prey to "carpet baggers," harpies, and negroes. Nothing can ever efface from my heart the remembrance of "the old dominion." Nothing is comparable, amidst the arts and ruins of older lands, to the splendour with which nature decks herself in her woods and vallies,

her mountains and her streams. Capable of yielding every comfort, offering every charm, what can exceed the enthusiasm of her sons for such a country ?

The foregoing in regard to Staunton has been altogether by way of digression—has no immediate connection with this history. Digressions are not unfrequently indulged in by the writer, and are, as a clever man has said, the sunshine, the life, the soul of reading. Take them out of a book, and you might as well take the book along with them—one cold, eternal winter would reign in every page of it : restore them to the writer, he steps forth like a bridegroom, bids all hail—brings in variety, and forbids the appetite to fail.

Though our history has no concern with what has been described of my native town, it is closely connected with two of Staunton's solid houses, about which I shall now speak : on them hangs a tale. The first of these was a brick building, fronting on Beverly, near its intersection with Augusta Street. It was a thoroughly comfortable and respectable abode—a picture in its way. That plain Virginian house, its cheerful face of red bricks, its solid squareness of shape—a symbol of the substance of its owner—was the residence of the Hon. Allan Taylor, Chancellor of the Equity Court, which I have mentioned as having such an extensive territorial jurisdiction. Chancellor Taylor was much respected for the probity of his character, the accuracy of his learning, and the fidelity with which he devoted himself to the business of his court.

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It was often said of him, that he might be mistaken in

an opinion; but, if so, it was an error of the head and not of the heart. His social habits were winning, as well as those of his contemporaries; this has given celebrity to what is known in America as Virginian hospitality. His house was therefore a favourite resort, where the old oaken board was always spread for friends, and the old chairs ranged in a wide crescent around the log-heaped fire. In early life he married an accomplished lady, Miss Elizabeth Thompson, who, besides many personal charms, was an heiress, and he was now surrounded by an interesting brood of children. His two daughters were named Elizabeth (or, as she was commonly called, Sally) and Juliet. The elder, Elizabeth, at this time (September, 1825) in her eighteenth year, was the acknowledged village beauty, which was not surprising, for she looked, according to all contemporaneous accounts, like the fairest and youngest of the muses. In a dreamy moment of youthful love, William Peyton had engraved her name upon the side of the old building. Entertaining for her a tender and deep affection, which began in childhood, it was now one of the most profound sentiments of his heart.

Elizabeth Taylor was, in Sept. 1825, rather *petite*, had the look of those young people who have not quite done growing, giving her an appearance at once elegant and interesting. Her features were regular, the nose aquiline, eyes blue, eyebrows in a simple, almost severe, arch, like those of a Circassian, and there was something resolute and original in her expression

that was exceedingly attractive. Her mouth, which was small, had even then a slight expression of disdain. Nothing could exceed the brilliancy of her complexion, in which were mingled the lily and the rose, and her hair, which was light chestnut, fell in ringlets about her neck. The grace and dignity of her movements bespoke a noble nature and descent. Such was the young creature destined to play an important part in the life of William Peyton. Through the partiality of a relation, she enjoyed a separate estate, and was regarded as the richest prize in the community. In the slang of the town and country fops, she was known as, "*beauty and booty,*" and there were few of those coxcombs who did not aspire to her hand. Some were disinterested and attracted solely by her personal charms and accomplishments, but it is beyond doubt that others were drawn by the fortune. As several of the gallants of that day are still living, and have grown wiser with years, I will not mention their names, which might make it necessary to indicate those who were attracted by the *beauty* and those by the *booty*—an invidious task which is gladly avoided. The united causes, however, gave her a marked pre-eminence among the belles of a town famous for the beauty of its women. The chancellor's house was, of course, one of the chosen spots where the village butterflies most loved to congregate.

In Augusta Street, facing the east, was a capacious residence, called "The Old Stone House," from the fact that it was built of blue limestone, which exists everywhere in large quantities in the Shenandoah

valley. It was erected at an early period, and was intended to be, as it really was, half dwelling-house, half fortress. The immense thickness of the buttressed walls, the narrow windows, the front door through which a gun carriage might pass, and the situation of the edifice, which commanded the approaches, leave little doubt of its original purpose. It was evidently designed both as a residence and as an outpost, a kind of detached fort set up in early days against the attacks of Redskins. This was the town residence of our father for several years, while Montgomery Hall was being rebuilt upon the site of an ancient edifice. Though facing another point of the compass, and in a different street from Chancellor Taylor's residence, the grounds of the two establishments were adjacent, and communicated by a small vine-covered gate-way. The grounds were large and ornamented, in addition to much shrubbery, with oaks, walnuts, and chestnut trees. Through this rustic gate-way, the two families of Taylor and Peyton kept up a constant intercourse, and not a day passed without their children spending some hours together. It was during this happy period that William Peyton and Elizabeth Taylor had unconsciously learned to love. And it does not appear that their case illustrated the trite adage that the "course of true love never did run smooth," for, as they advanced towards adolescence their affection "grew with their growth and strengthened with their strength"—nothing occurred to mar their happiness. They probably were, however, themselves then uncon-

scious of the character and depth of these tender feelings. The hero of this little tale of real life had made no declaration of his passion, and neither the the parents of the one nor the other suspected the existence of a secret attachment. The affair attracted less attention from the fact that in the next property south of the stone house, there lived the family of a seafaring man, Captain Williamson, of the United States Mercantile Marine, whose family were in the constant habit of joining the group of young people playing in the grounds. The worthy Captain had a daughter also, who was afterwards famous for wit and beauty. William Peyton was as frequently with one family as the other, and was known years later to derive no small pleasure from the society of the captain's fair daughter. Probably he was more with the Williamsons than the Taylors at this time, for Captain W. had enriched his house with many curiosities collected in Europe, Asia, Africa, and other distant quarters of the globe. He had many rare paintings, vases, statuettes, Chinese-pagodas, tapestries, medals, coins and other objects of virtu ; and for the study of these, William Peyton evinced a strong passion. Much of his time was spent in examining them, and the correct taste he afterwards displayed in the decorations, the furniture, the paintings, etc., of his establishment, at Elmwood, in Roanoke, was probably in some measure due to the direction now given to his mind. Being much in the society of both families until the completion of his education, if

anyone thought of the probability of his losing his heart with either of these beautiful girls, they were at a loss to imagine which fair charmer 't would be. It was, therefore, something of a discovery for his young friend and companion, Stuart, to have penetrated so unexpectedly and unwittingly into the secret workings of his soul; for who can doubt but to Stuart's mind the hoary sides of the Spring house told a tale of love. Stuart may have jested with him upon the subject of his passion, in their solitary walks, and may have been taken into the lover's confidence; but, if so, he preserved the secret with fidelity, for up to William's return from Yale, in 1824, the world had no knowledge of the affair.

It may not be uninteresting to the reader if I conclude this chapter with a brief allusion to some of the changes which time has wrought in the Staunton of 1810-20. Railways and telegraphs have penetrated beyond the mountains, and the village of earlier days has passed away. Now trains, like comets with "fiery tresses," hiss and foam through the frightened fields and crowded ways. Shops have taken the place of homes, and grass no longer grows in streets which reverberate with the music of commerce, and are full of the stirring stream of life. Judge Taylor's house has been despoiled, "gutted", the lower story metamorphosed into a place of business, where sugar and salt, fresh butter and dried herrings, are offered for sale. The ivy, the jessamine, and the woodbine have been stripped from the walls and replaced with fresh

stucco, and the old home bears a new name. Now it is called after a recent occupant, "The McDowell House." Many other changes have taken place. The dignified gentleman of the old school, with his blue coat and brass buttons, buff waistcoat and top boots, vermillion face and powdered hair—the type of a proud and generous race—one of the institutions, if I may so speak, of the Virginia of the past, has disappeared. Indeed, he is almost forgotten by a bustling, money-making, and irreverent posterity. The ancient constitution and conservative local government, the habits and customs of the inhabitants, have also passed away, and, what they were, will in a few years, in all probability, become a matter of curious enquiry.

At the period of which I speak, railways and telegraphs were unknown—people travelled on horseback and in coaches, when they did travel, which was seldom the case. There were horses of every breed, and coaches light and heavy, single and double, long and short—all the crosses between a hearse and an omnibus; but if people moved more slowly in those days may they not have been happier? There was no talking to distant minds by means of lightning, no travelling on the wings of steam—none of the "fast" and "slap-dash" propensities of the present; but again, if there was less excitement, was there not more quiet comfort? If our ancestors were not happier, if modern improvements are all for good, and nothing for evil, let wiser heads and deeper philosophy than mine determine. What remains to me of this bygone age but the

hearts's memory of old things? "I cannot but remember such things were, and were most dear to me." With the fine old gentleman, the whole throng have vanished through the ruby skies. Yes, the men, dear honest race, and their manners and customs, the spirit of the age in which they lived, like their houses and festival days, have departed!

> Oh! friends regretted, scenes for ever dear—
> Remembrance hails you with her warmest tear!

CHAPTER IV.

The vacation of 1823, which William Peyton spent at home, had scarcely passed away before he was on his return to Yale. During the term which followed, he completed his academic education, giving such increased evidence of talent and scholarship, that there were few of his associates who did not believe he would achieve great things in after life. Professors and students alike regarded him as the coming man, as well by the cleverness he had displayed in his University career, as by his conversation, conduct, tone, and manner, by his ready writings and speeches, or, in other words, by the thousand signs and tokens through which mind can be recognized and made known.

It may not be uninteresting to remark, that his residence and partial education in the north exercised a wholesome influence upon his opinions in after life. Many of the prejudices which he imbibed in youth against the northern people, and more especially those of New England, were removed, He learned to take larger and more catholic views, to respect the New

Englanders for their great virtues of intellect, perseverance, and morality. In later years these youthful impressions were strengthened by further intercourse with the northern people, and he did much to create a better feeling between the inhabitants of the two great sections of the Republic. Among other things, he invited one of his college friends, Mr. B., subsequently the Rev. E. Boyden, to make him a visit. Mr. Boyden, who accepted the invitation, was so much pleased with the society, climate, and scenery of Virginia, that he adopted it as his home, and, some years after this visit, married a Stauntonian. Through the influence of my father and his wife's family, he was appointed curate, and afterwards rector, of Trinity Church, Staunton. The Rev. E. Boyden is still (1873) living in Virginia, where he is much esteemed and respected.

On my brother's return from Yale, our kind father, by a rare display of wisdom and liberality, placed at his son's absolute disposal, the estate he had acquired through his mother. Under the laws of Virginia, the husband is entitled, on the wife's death, by what is termed the "courtesy of England," to the usufruct of her property for life. My father did not choose to exercise this right, because, having married again, and having already one child born with every prospect of a large family, * he did not desire or intend that the offspring of his

* The writer was born of this second marriage the year following, namely on the 15th of September, 1824.

second wife should participate, to the slightest extent, in the property of the first. According to his strict sense of honour, his elder son was equitably entitled to his mother's estate, and it was accordingly transferred to him, at his coming of age. He took this course for the further reason that it showed—certified—his confidence in the prudence, good sense and mature judgment of a son, of whom he had so much reason to be proud. The sagacity of his course in this matter was apparent in after times. It had the happiest effect, among other things, of preventing any envy or jealousy between the son of his first marriage and the children of the second. William Peyton always felt and acted towards his half brothers and sisters with the affectionate solicitude of a parent. During the thirty-odd years of the writer's intercourse with him, down, in fact, to the period of his death, he never spoke an unkind word, or was guilty of a single action unworthy of the fraternal relations existing between them. On the contrary he was always anxious to promote the success and prosperity of his sisters and brothers, but more especially of the author, in his every plan and project; was, in a word, everything that a brother could or should be. Well may my hand tremble, and my eyes grow dim, as the memory of the past rises up out of the grave. Turning back to the period when I first remember him, now after the lapse of forty years,

> His every look, His every word,
> His very voice's tone,
> Come back to me like things whose worth
> Is only prized when gone.

The past stirs up again the churchyard of memory, and I see him as I saw him when a lad of ten. I loved him as a boy can love; and boys love with a devotion, a truth, a purity which few preserve in youth and manhood. My affection for him, however, was always the same. Time, business contact with the cold and selfish world did not impair or lessen it. But why dwell upon my grief at his loss? a grief heightened, if possible, in my case, since the blow was received when my home had become strange to me, and a strange land my home. The heart only knows its own bitterness. Suffice it to say, that in those days he completely fulfilled my boyish notions of the *beau ideal*.

From that period, I follow our intercourse down to his death, without recalling a single instance in which his anxious care, affectionate kindness failed. All my recollections of him, indeed, are associated with his almost parental solicitude on my behalf. It cannot be surprising, then, that I feel warmly concerning him, that I cherish his memory, that I have spoken of him and must still do so in high—in what some might consider extravagant—terms. Far be it from me, however, to indulge in idle praise. Elsewhere I have remarked that such praise is weak as unjust, reflecting credit neither upon the eulogist nor the person commended. Nor does his fame require it. In his case the simple truth is more eloquent than the highest-wrought praise. Born with a love of the good, the pure, and the true, a lovelier character never existed. If I may be permitted, after having already said so much on this subject, to refer to it again, it would be to say that if such a

multiform and mixed thing as the human character can be described by a single word, his might very nearly be concentrated into that one word—magnanimity. His genius allied itself to deep thoughts, great studies and objects. His intellect was solid, vigorous and comprehensive; taking in the whole range of knowledge, but was particularly devoted to those branches which require industry, sustained attention and the power of abstract thought. He was learned in the languages, thoroughly versed in the law, an adept in mathematics and the natural sciences. But, if his varied abilities elicited admiration his virtues were greater. Truth and honour were the two poles within which his whole actions revolved. He was capable only of the loftiest conceptions, of the noblest sentiments. Everything little, false, and corrupt, was spurned by him as the dust beneath his feet. In a crooked path he could not walk: in a foul atmosphere he could not breathe.

Some years since, I met the distinguished Dr. J. Marion Sims, of New York, at a private party in Paris. He had taken refuge there during the civil war in America, and, by his professional abilities, was not only making a support, but extending his fame.* In the course of the evening, our conversation turned upon the subject of the civil strife in the United States, which was then at its height, and to Colonel Peyton's actual detention under surveillance, his *quasi* imprisonment for some months after its commencement in New York. A gentleman present, one of my brother's old friends,

* He was Consulting Physician to the Empress Eugenie, and Physician in Ordinary to the Duke and Duchess of Hamilton.

asked Dr. Sims if Colonel Peyton was an acquaintance of his? "Yes" said Dr. Sims "I know and love him. We have been intimate friends for years. He is a man of superior intelligence, versed in the arts, in science, and in politics—in everything, in short, which can enrich and elevate the human mind." "He has," continued Dr. S. "a heart superior to his head—is, in a word, as near perfection as is possible with a human being."

Perhaps an apology is due to the reader for the abruptness of my transitions, and for the want of strict sequence as to time in relating these recollections. It arises from the difficulty of combining all the facts of a personal history in a continuous recital. The assurance, however, that it does not interfere materially with the continuity of the narrative, will palliate, if it does not altogether excuse, the adventurous freedom of my pen.

The estate previously mentioned as having been transferred to my brother, consisted of lands in Virginia and Kentucky, negro bondsmen, and a considerable accumulation of money, He found himself, therefore, at his majority, in command of a handsome fortune, the representative of a family, which in point of antiquity, of high connexions and the political influence it exercised, second to none in the land. It is not surprising, therefore, that the law had faint allurements for him, that he turned reluctantly to its study and then only to gratify a father who was ambitious that he should shine in the forum. Of all the professions, that of jurisprudence affords the fairest and most promising

field for the exercise of abilities. Neither patronage, connections, nor address, can make a man an able lawyer or an eloquent pleader. In this profession there must be intrinsic merit, which will at last surmount all difficulties and command that attention which the generality of men are obliged to court. Knowing my brother's abilities, and that he must make a conspicuous figure in the forum, my father felt a strong desire that he should pursue this profession. The law was also at that time, as it now is, the avenue to every distinction in Virginia, and this fact also induced our learned father to urge him to adopt it. Our father was a man of high and honourable ambition, and naturally sought the distinction of his son, at the same time he ever kept in view, that our chief end in this world is to prepare for a better one—often recalling his son from too eager a pursuit by remarking, verily, it would be no profit if he gained the whole world, and lost his own soul.

Perhaps my brother's disinclination for the law may be better understood when his character is more fully developed before the reader. Among his earliest propensities was a fondness for the arts, music, poetry, painting, and sculpture. In both drawing and painting he acquired much skill, and while these pursuits were necessarily neglected amid the multiplied and pressing occupations of after life, he always showed the highest appreciation of them. His sense of the beautiful was vivid, his taste exquisite, and it was said of him by the late Mr. Sully, an eminent painter of Richmond and Philadelphia, that he was not only an amateur and a

connoisseur, but an artist as well. Before he was twenty-five he had amassed a considerable collection of paintings, busts, statuettes, vases, coins, medals, and other rarities, a collection which was augmented from year to year till the visitor wandered from room to room in his Roanoke mansion bewildered with the *embarras des richesses.* His library, too, was one of the best selected, and probably the largest private collection of books in Virginia. On his shelves were many old, rare, and valuable works, and some of the finest books of plates and engravings extant. It would have required the industry and learning of an American Dibdin to classify the books and set forth their claims to celebrity. Such was his proficiency as a linguist, that he wrote several of the polite languages with the correctness and fluency of an educated native. Yet, with all this surface of graceful accomplishments, no one called him superficial. On the contrary, it was the habit of his mind to search into the depths of things. He had sufficient warmth of imagination to appreciate the works on which fancy bestows a life more lasting than reality, yet that appreciation did not lead him to copy, but rather to analyse what he admired. Fond of metaphysics, he prized most that kind of poetry in which intellectual speculation lights up unsuspected beauties, or from which it derives familiar illustration of hidden truths. Thus, in his conversation, though it had the easy charm of a man of the world, there was a certain subtlety, sometimes a depth, of reasoning, which, aided by large stores of information, imposed upon his

listeners and brought into bolder relief the vantage ground for political station, which his talents and his knowledge took from the dignity of his birth and the largeness of his fortune.

With little taste for the routine and technicalities of the common law, he yielded to the earnest desire of our father, and, after a short respite from collegiate labours, commenced studying for the bar. Two years later (1828), when in his twenty-third year, he was admitted to the practice. A few months following this introduction, during a recess of the courts, he set forth upon a tour of the States, or what were termed "his travels." It was not only his own, but our father's wish, that he should make this tour. No doubt there is a period in the existence of every man, when he desires to wander away from the familiar objects around him, when he longs to be far from his best friends; times when the stream of humanity becomes dull and prosy, when one tires of routine, and desires to be upon the lake shore or the mountain peak. This was now his case, and consequently he left home in high spirits. He was no doubt imbued with the meaning of the remark of Beaumont on a similar occasion, who said:

> "Let rogues be fixed, who have no habitation,
> A gentleman may wander."

During his absence, he visited the British North American provinces, and, returning by Canada passed, thence through the lakes to the north-western States and territories, and down the Mississippi to New

Orleans. From New Orleans he proceeded home through Alabama, Florida, Georgia and the Carolinas. These travels were undertaken, not merely to gratify his taste for the picturesque, but, in imitation of the example of the wise Ulysses, to study the laws and institutions, the manners and customs, of the different regions which he visited and where he resided. In the society of the numerous state and colonial capitals where he sojourned, he abstained from all giddy and licentious pleasures, though it was not unfrequently the case that young men whom he met, sought to make him ashamed of sobriety, and I regret to say, many of the women of modesty.

While in Florida he was prostrated by a violent attack of fever. He could scarcely have recovered, such was its severity but for the kind and watchful attention of a Virginian doctor, who had years before migrated to the territory, and who attended him more as a friend than a physician, and the singular fidelity of an African freedman, a waiter in the town of Tallahassee, who had been his travelling guide and servant for some weeks before. This faithful black watched at his bed-side, day and night, apparently without ever giving way to sleep or fatigue, studying his every motion, administering medicine at proper intervals, and fanning his fevered brow. When he had sufficiently recovered to leave his room, and was once more convalescent, he enquired the cause of a sadness which he had all along read in the countenance of his excellent attendant. The black informed him, with a simple eloquence, which

brought tears to his eyes, that he had long loved a slave girl whom he wished to marry. Her master, however, objected, not wishing his slaves to intermarry with freed persons. The black attributed his refusal to another and a different cause, and trembled for the girl's virtue. He represented that the master was in debt, and purposed selling his property, and removing west of the Mississippi. In this contingency, William's nurse wished to accompany them, though he should leave behind an aged and infirm mother, who relied entirely upon his labour for support.

Deeply moved by this simple narrative, my brother formed a resolution. On the following day he visited the girl's master, and, after a long interview, the particulars of which never transpired, he succeeded in not only procuring his consent to the union, but also to his parting with the ownership of the beautiful slave. By some arrangement, into which the freedman was made a party, the girl passed to her lover, or in other words, from the bonds of slavery to those of conjugal life. When this affair was settled, and the particulars communicated to the grateful black, he was overwhelmed, and bewildered at his good fortune. Soon he burst into a paroxysm of tears, and throwing himself upon his knees, in extravagant terms thanked his generous benefactor, commending him to the favour of Heaven.

William Peyton remained long enough in Florida to see the lovers married. The night before leaving they came to him with the aged mother, their friends

and relatives, to make a last demonstration of their gratitude, bringing fruits and flowers as an offering, and singing songs of thanks and praise. When he left, he was surrounded by a crowd of grateful Africans, deeply moved with grief and frantic in their gestures, and in their wild language of praise and thanks.

This affecting incident of his travels, which was not mentioned on his return, many years later, came to the knowledge of the author, through a communication from a Floridian, who was in Virginia on a summer tour.

On his return from these well employed travels, he became the general object of esteem and attention in his own county, not only on account of his noble character, but by the elegance of his manners, the comeliness of his person, and the delights of his conversation. His reappearance at the bar was now anxiously awaited by his friends, many of whom supposed he would equal, if not surpass, our learned father as a pleader and an advocate. His first appearance before a jury, gave the best hopes of his abilities, and inspired his friends with fresh zeal for his continuance at the bar. He soon became conspicuous for the analytical powers of his mind, for the accuracy of his legal knowledge, the dexterity of his handling of an opponent and the fervour of his eloquence. Business came in rapidly and his success, had not his failing health prevented, must have equalled any expectations formed of him by his

most sanguine friends. Always in delicate health, he suffered periodically from vertigo and severe pains in the head, and after these paroxysms was subject to long periods of weariness. At the end of two years, therefore, upon the advice of a medical man, he determined to give up the profession, and to retire upon his estate, in order to give himself up to less exhausting and more congenial pursuits. Thus it is that he is not famous in the legal annals of Virginia; that he produced no great work in his retirement. In addition to his ill-health, which impaired his energies, he wanted ambition, self-assertion—was extremely placable, and saw other and less worthy men advance and pass him, without any effort or regret. Had his health been vigorous, had he been arrogant, grasping, and faithless, and had he been ready to betray or blacken those with whom he sat at meat, he would have reached the highest political honours and distinctions, and must have passed many men, who in the course of his life passed him. But without selling his soul for a mess of pottage, had he been more zealous for the promotion of his interest, more selfish, more conscious of his power and of the place nature intended him to occupy, he would have acted a great part in life and remained a noted character in history. A man, however, cannot be what he would, if circumstances do not permit it.

It may not be out of place to anticipate events at this point and to relate the following interesting occurrence which took place on his abandonment of the wig and

gown. It had not been customary with him to receive his fees, while at the bar, in money, but turning a kind ear to the complaints of clients, he had satisfied himself, following in this the advice of my father, with simply taking their I.O.U.'s. These he could collect if he required the money, and if not, it was evident he would not inconvenience his debtors. Previously to the last term of the superior courts which he attended, he addressed a letter to each of his debtors, informing them of his wish to meet them at the next court, and asking them, if possible, not to disappoint him.

What occured when he reached Huntersville, where the superior court of Pocahontas county was held, will give the reader an idea of what took place everywhere in the circuit. His clients received these notices with various feelings. They were anxious—restless. Those who owed him large sums were filled with apprehension. They could but suppose from the brief, almost curt, note they had received, that immediate payment of their accounts would be demanded. Something akin to a money panic prevailed at the time in the country—there was great financial embarrassment, and the stoutest men quailed as they looked forward to the ruin in which all industrial interests were likely to be involved. The dread, therefore, with which his debtors assembled for his appearance at Huntersville, may be better imagined than described. Many said it was impossible such a man could think of pressing them for his claims at such a moment, or

indeed, at any time. Others, said he, might be in trouble, and thus have no alternative. A third party protested that the human heart was deceitful above all things and desperately wicked, and while they never could have believed him capable of such oppression, they feared they had mistaken his nature. Still a fourth set came forward to cheer the despondent, declaring they would never believe him capable of wrong and injustice, (and it would be both to demand immediate payment of these notes, during a period of financial distress) until it could be made to appear that black was white and white black.

On the first day of the term, a day which finally came, great crowds assembled (as is usual in Virginia on assize days) at Huntersville. William Peyton was already in his lodgings, where his clients began to drop in. When all had arrived they were invited to a large room, in the centre of which stood a censer filled with burning coals. Shaking hands with his old friends and making a few inquiries after their families, he advanced to the head of the table, and, in a short address, informed them of his continued ill health and of his purpose to retire from the bar. He then took from a drawer a tin box containing their bonds. A shudder passed through the frame of many a poor fellow, as he recognised the fatal bills to which his hand and seal were affixed. My brother then remarked that the notes which he took from the box had been given for his professional services, while the truth was simply this, that he had rendered them little or no service what-

ever and that, therefore, he could not consent to receive a penny from any of them—that he had called them together that day to absolve them from their obligations—to wish them every kind of prosperity in life, and to bid them farewell. Nothing more.

A profound silence followed these words, his audience was momentarily stupified with astonishment. During this pause he proceeded to place upon the live coals their promissory notes, and the entire bundle was consumed before their wondering eyes. His grateful clients, having somewhat recovered their self possession, raised, amidst the smoke of the charred papers, shout after shout, cheer after cheer.

Next day they instructed a committee from their body, to wait upon and invite him to a public dinner and to say in substance,

> "Not that we think us worthy such a guest,
> But that your worth will dignify our feast
> With those that come."

When the committee arrived at his rooms, they found them empty and in disorder, a few stray bits of paper, the ends of strings and other evidences of hasty packing were scattered about the floor. Betimes that morning he had risen, and was now probably twenty miles distant on his return. He travelled by a road conducting to the Hot Springs, instead of proceeding immediately towards Staunton. This was a common thing with him. He often turned away from the beaten track, trebling his journey, in order to visit some region famed for its scenic beauty. On the present occasion,

following this custom, he took a route remarkable for its diversified and romantic landscapes. Brought up in a beautiful pastoral district, he early imbibed a love of nature which he viewed with a poetic eye. He early fed upon the open sky influences of the fields, the wide vallies, the rolling meadows, the lofty mountains: was nurtured upon sunshine and shadow, on hill and in vale, by mountain-stream, and in the leafy dell. He knew all the choicest haunts, the sweetest and most sublime scenes of nature, throughout a district unrivalled in Virginia for varied and picturesque beauty. The grandeur of the summer and autumn fogs rolling up the hills and mountains, of the roaring cataract plunging down into the valley below; the ineffable sweetness of the evening glow enveloping the far spreading valley, amid which the peaceful flocks browsed in quiet joy; the glory of sunrise,

> "When from the naked top
> Of some lofty peak he beheld the sun
> Rise up, and bathe the world in light."

were all familiar to him from a boy. Thus was his mind fed upon nature in her choicest aspects, and his enthusiastic heart impelled towards art and its cultivation.

It is proper that it should be explained with reference to his observation to his clients, when burning their notes, "that he had rendered them no service," that no man deserved to stand higher for his moral qualities and his faithful discharge of duty. He was as much distinguished for the uprightness of his dealing

in all transactions of a business character, as for his benevolent affections. In this remark his modesty spoke, and only his modesty. He was emphatically *antiqua homo virtute ac fide*, and, moreover, a philanthropist in the truest sense of that word. Everything tending to the good of his kind, he was on all occasions, and particularly in cases of distress, zealous to forward, considering nothing as foreign to himself, as a man, which related to man. Consequently, he counted, as we have before said, many friends, and from the great purity and simplicity of his manners, few or no enemies, unless I may be allowed to call those enemies, who, without detracting from his merit openly, might yet from a jealousy of his superiority, be disposed to lessen it in private. An old author has said on this point, "men take an ill-natured pleasure in crossing our inclinations, and disappointing us in what our hearts are most set upon; when, therefore, they have discovered our ruling passion, they become sparing and reserved in their commendations, they envy the satisfaction of applause, and look on their praise rather as a kindness done to our person than as a tribute to our merit. Others, who are free from this natural perverseness of temper, grow wary in their praises of one who sets a value on them, lest they should raise him too high in his own imagination, and, by consequence, remove him to a greater distance from themselves."

CHAPTER V.

In 1824 when William Peyton returned from Yale he commenced, as has been previously said, reading for the bar. Though he gave sufficient time to this grave pursuit to pass for a young man of "steady habits," he mingled largely in polite society. His name was generally found at this period among those who frequented balls, theatres, and other amusements. Frequently in Richmond and Washington his box was well known at the opera. Considering his youth and high natural spirits, this was but reasonable, one of those things to be expected.

During an incidental visit to Washington a year or two later, when dining with General Jackson, who had been recently elected President, the following passage occurred between them. It must be remembered that with the election of "Old Hickory" in 1829, a new and by no means improved order of things was introduced into American politics. For the first time since the foundation of the Government and to the no small disgust of the President's best friends

and wisest counsellors, General Jackson announced his determination to be guided in all appointments to office by the maxim that "to the victors belong the spoils." Shortly, therefore, after his inauguration, he summarily discharged every political opponent who chanced to hold office. That reckless spirit which has since degraded American politics was thus introduced, and has been from that time to the present in the ascendency. Shame has gradually perished; insolence and impudence prevail over justice, and possess the land. The purity of an earlier and better period of the Republic and their traditions are forgotten. Those days

> "Once far famed,
> Where liberty and justice, hand in hand,
> Order'd the common weal; where great men grew
> Up to their natural eminence, and none
> Saving the wise, just, eloquent, were great;
> Where power was of God's gift, to whom he gave
> Supremacy of merit, the sole means
> And broad highway to power that ever then
> Was meritoriously administer'd,
> Whilst all the instruments from first to last,
> The tools of state for service high or low,
> Were chosen for their aptness to the ends
> Which virtue meditates."

At the President's dinner our father was present, being at the time a guest at the Executive mansion. He had been one of Jackson's supporters in the election, but, it must be said in justice to his memory, under a total misapprehension of the General's political character. No man detested and repudiated more heartily than did John Howe Peyton the corrupting doctrine with which Jackson commenced his official career, and he became so convinced in the progress of

events of its lowering and corrupting tendencies, that he forsook his party and joined the whigs. During the second term of General Jackson's administration, the control of the party passed into the hands of mere adventurers, *E fungis nati homines*. At this time (1831), however, our father was on the best terms with His Excellency, and was staying during a business visit to Washington, as he was in the habit of doing, at the White House. Some years previously General Jackson made the acquaintance of my brother, and conceived an especial liking for him. The liveliness, wit, and humour of the young man quickly captivated "old Hickory," who took a rare delight in his society and always treated him with marked attention. Few indeed could resist the charm of William Peyton's manner and conversation. In the course of the dinner, "old Hickory" expressed his astonishment at the numbers attracted to Washington in search of office. It must be borne in mind that at this early period in his administration, the President had not unfurled the pirate flag to which I have referred. Turning to his young friend he said jocosely:

"Well William, What office are you seeking?"

My brother replied at once with equal humour and with his customary animation:

"I do not aspire to any post, but if your Excellency confer an office upon me let it be one with a fat salary, where there is no work and less responsibility."

Old Hickory received this sally with hearty laughter, and said:

"My dear boy, I shall not forget you. We have too many such sinecures in Washington. It is all salary, no work, and as for responsibility it is expected that I shall assume this and by the Eternal I am not afraid to do so."

The year following this visit to the capital, the important Federal office of attorney for the district of Western Virginia became vacant. This is no sinecure, and the President offered it to William Peyton. A most unusual distinction for one so young, and exhibiting in the strongest manner the unbounded confidence reposed in him by the Government. William hesitated to accept or to refuse the appointment. If he continued at the bar it was important that he should do the former. He was somewhat apprehensive, however, that his health might not permit him to perform its duties. He paused, therefore, before communicating with the Government on the subject. At this moment an appeal was made to his better nature. A young friend, Mr. Harrison, in straitened circumstances, who had with difficulty obtained an education, greatly desired the office. This gentleman was on the circuit, and gave promise of future usefulness, but was absolutely without political interest. He appealed to his friend William to refuse the position for his benefit. "You are rich," said Mr. Harrison, "and have no need of the salary—your health is delicate, why undertake its drudgery—you have no particular taste for the law, why should you unnecessarily impose the heavy yoke of its labours upon yourself?" Mr. Harrison's confidence in William's

generosity was not misplaced. My brother, after Mr. H.'s earnest appeal, determined to decline the post, and recommended his friend's appointment to the President. If you have one friend, says the proverb, think yourself happy. Here was a friend indeed, a practical illustration of disinterested friendship. Yet there are people who calumniate poor human nature and speak of self sacrifice and true friendship as if it had no existence.

If it be true that no object is more pleasing to the eye than the sight of a man whom you have obliged, nor any music so agreeable to the ear as the voice of one that owns you for his benefactor, William Peyton must have gone through life cheered by pleasant sights and grateful sounds: never was there a man who so habitually lost sight of himself, who made more numerous sacrifices for his friends, nay even his mere acquaintances.

Shortly after he entered upon the practice of the law, when attending court at the warm springs, Bath Co., he mortified my father exceedingly by a piece of off-hand levity, which the latter regarded as a most undignified proceeding, unworthy of the profession. He was employed to defend a man charged with horse stealing, and, as there was only circumstantial evidence to prove his guilt, my brother, who was much exhilarated, for it must be remembered that the case came on after dinner, set up the defence that according to the principles of science, and of a new science likely to prove both useful and ornamental, it was impossible his client could be guilty. He then referred to and explained the theories of Gall

and Spurzheim, and declared that according to the phrenological bumps on the head of his client, theft was a crime he was incapable of committing. He argued with much gravity and ingenuity in this direction, amidst the suppressed giggling of the bar, to the great chagrin of my father, who was public prosecutor, and to the thorough mystification of the county court. This body was composed of country gentlemen unacquainted with law, and it was one of their boasts that they made up their decisions, not so much in accordance with the principles of common law, as of common sense. My brother went on, and drawing from his desk a copy of Combe's phrenology, illustrated with plates, exhibited it to the jury, and declared that at the point upon the pericranium of his client, where there should be a protuberance if he were capable of robbery, there was not the slightest development, and asked, what is the value of science, if we discarded its teachings? He then made an animated and eloquent appeal to the feelings of the jury, based upon the humane principle of the common law, that it is better that ninety-nine guilty men should escape, than that one innocent person should suffer, and, declaring his conviction of the prisoner's innocence, asked them to give him the benefit of every doubt, and lean to the side of mercy.

My father, in reply, was exceedingly severe in his comments upon the airiness of my brother, as inconsistent with the administration of justice and the dignity of his profession. He ridiculed Gall and Spurzheim's far-fetched theories, which he declared were not scientific

deductions, but only speculative opinions, and attempted to bring the whole defence into contempt, by referring to the human skeleton, saying, "If you run your eye down the spine it alights upon the *oscoccygis*." Neither the court nor the jury understanding what these words meant, but overcome by the ludicrous manner of my father, both burst into a hearty laugh. "Now," continued my father, "this *oscoccygis* is nothing more nor less than a rudimentary tail, as Lord Monbeddo has well said, and I suppose we shall soon have some modern philosopher startling the world again with the proposition that man once flourished a tail, but of which, the civilized use of a chair has, in process of time, deprived him." He continued somewhat in this style, "I mean nothing against philosophers nor tails, both are useful in their way. What would a cow do without her tail, especially on our fly-pestered prairies, or the Pampas of South America? What would a monkey do without this caudal appendage and its prehensile quality?—with him it takes the place of hands. And shall we have philosophers telling us that we received our hands when we lost our tails, and that the monkey lost the use of his hands because of his peculiar facility of using a tail? A beautiful science," said he, "is this phrenology, according to the theory of the learned counsel for the prisoner. To all standing in the unenviable position of his client, it will prove, if the learned gentleman be correct, not only a thing of beauty, but a source of comfort and a joy for ever. To the murderer, the thief, the burglar, the highway robber, to all in fact, who wish to be rid of the

responsibility which attaches to their actions, it will become a positive blessing. Not to these only, but to the entire community—it opens a brilliant prospect of life, of life as it should be in this enlightened age, at this advanced period in the progress of the world. Upon the ruins of our present immature civilization it will uprear a charming state of society. Under the vivifying influences of this new system, mankind will be happy, perfectly happy; and until the auspicious day when the new order commences this "consummation so devoutly to be wished," need not be anticipated. Throughout the world, or at least so much of it as is illumined by the sun of phrenology, perfect liberty will obtain, and the present generation will wonder at the darkness in which their ancestors groped. Justice will reign supreme, and our statute books will be no longer disgraced by those dreadful laws founded in ignorance, superstition, and cruelty, which consign a helpless and irresponsible man, criminal you call him, to the merciless hands of the executioner. It will then be clear as the noon-day sun, that law and liberty cannot exist, that they are natural enemies. Along with this knowledge will come a resolution to demolish the whole system of our jurisprudence, to cart off the rubbish, and substitute in place thereof a new, nobler, and higher civilization. Poor weak man will no longer be held accountable for his actions. The infirmities of his nature will become a recognised principle, that men are but men, will be known of all men. It will be understood that from the foundation of the world, it was determined, predestined, and fore-ordained that he should

act thus and thus, and that, therefore, he cannot be justly rewarded for any action however meritorious, nor punished for any crime, as we term it, how atrocious soever. Men will stand aghast that laws should have existed, and for so many ages, for afflicting a human being for actions, over which it is clear, according to the prisoner's counsel, he had no control—actions, in fact, which they were bound to perform, by an irresistible law of human nature. Then will it be seen that men commit murder, perpetrate rape, and apply the torch because they cannot help it. Gentlemen of the Jury, no line of argument would be shorter—I leave you to determine its soundness."

"But to be serious," said my father, who though cheerful in his disposition had a manner so tempered with gravity as to check the sallies of indecent levity, "I must refer, before closing, to the conduct of the prisoner's counsel, and remark that some speakers are more anxious to display their eloquence, than to promote the public good. Now, when this is the case, as I must charitably suppose it to be on this occasion, oratory is a useless gift, and such fine speeches as we have had to day are simply disgusting. When great talents are employed to support a bad cause, perhaps from selfish motives, (I trust and believe that this is not the case now), they are objects of universal contempt. Oratory, with all its pleasing charms becomes an instrument of mischief, when used by an unprincipled man, as, when resorted to by a good man, its happy influences almost exceeds belief. An orator who thus uses his talents, without reference to his personal

interests, if he do not succeed in his efforts, at least, enjoys self approbation, and that of his God."

In this manner my father threw the defence into ridicule and disrepute. His sound sense and keen sarcasm was too much for my brother's after dinner eloquence, and, from a brief consultation, the jury returned and delivered a verdict condemning the prisoner to the penitentiary for two years.

The Hon. David Fultz, of Staunton, recently Judge of the Circuit Superior Court of Augusta County, who was present on this occasion, told the writer twenty years ago, that he had never during his career at the bar been so much interested and amused by any trial as this. The disgust of my father at such a defence being set up, the elation of my brother, at the probable success of his ruse, the bewilderment of the court and jury, both of whom seemed lost in a fog, the suppressed merriment of the audience, which did not comprehend exactly all that was transpiring, but which to some extent entered into the fun, rendered the whole scene inimitable.

The reader must not fall into the error of supposing, because I have delayed thus far to recur to my brother's love affair, that he had lost his interest in Miss Taylor. Far from it. On his return from Yale, their friendship was renewed, and William gave less time to the study of Captain Williamson's art collection, wandered more on the banks of the purling streams which water the meadows above and below the town. In other words, made a tolerably fair division of his

time between Coke—Lyttleton, and his amiable friend. Of course in a small place these things could not long escape public attention, becoming food for gossips. Staunton was one of those retired communities, such as exist the world over, where everything is known and thin fictions flourish in wanton luxuriance. Mrs. Brown never had beef and carrots for dinner without the knowledge or "unbeknownt," as the negroes said, to Mrs. Smith. The grocer never called at Mrs. Jones' without the extravagance of that unlucky woman, who was supposed to be "gone in the head," because she indulged in an extra quantity of rum and molasses, becoming the subject of interesting speculations among neighbours, as to how long her unfortunate husband could bear the drain upon his finances. It was a standing joke among the "conscript fathers" that in bygone days an individual had amassed a fortune in Staunton by attending to his *own business*. Something not likely to occur again was the doleful commentary upon modern degeneracy when people are wont to mind every body's affairs but their own. The old ladies assembled almost daily to "sometimes counsel take and sometimes tea," and nothing transpiring in the place was likely to escape their observation.

It must not be supposed because this is an accurate description of the town of my boyhood that it was worse than, or very unlike, other small communities. Far from it. I shall not, however, attempt any vindication or make any apologies for the place. *Quæ*

s'excuse s'accuse. The truth is, the residents were very pleasant after their fashion, and not more addicted to gossip than the rest of the world. As a rule they were much given to hospitality, and entertained strangers on the fat of the land. They were a little lethargic, somewhat like the dwellers in Sleepy Hollow, but stagnation in trade rendered the affairs of the social life all the brisker. Every now and then during term time, it enjoyed some weeks of festivity, but such seasons only occurred twice a year and Staunton had ample time to recruit her energies. From these periodical festivities she would relapse into placidity, and nodded on from month to month contentedly.

During the latter part of the month of Oct. 1828, a party of ladies, (there was only one gentleman present, Mr. Sam. Moore), I do not say old ladies, for one or two sweet seventeen's were in the room, were grouped around a table from which the hissing urn had just been removed. They were pulling, measuring, adjusting their work, and settling themselves down, after heavy potations of that friend to prattle and that foe to slumbers, for a cosey tittle-tattle. A jocund wood fire illumined the hearth and a brilliant light was diffused through the wainscoted room, from an ancient glass chandelier, suspended from the ceiling. Some good paintings lined the walls, and several small tables were loaded with glittering nick-nacks from all climes and countries. Much old china was disposed about the room, a little cracked if closely examined, many books, a pretty work box, a bird cage, and a great vase of

freshly gathered flowers, the early frosts had not yet withered these. Mr. Moore and the young ladies were engaged in a round game, and a fine King Charles dog and an Angora cat, after their diurnal squabbles, were peacefully sleeping side by side on the rug. This wainscoted apartment in which there was a ceaseless rustle of silky raiment, a shimmer of jewels, and a glitter of eyes brighter yet, was the drawing-room of a Staunton mansion. It stood in its own grounds, was innocent of stucco, lath or plaster, and was one of the finest pictures imaginable of the local respectability of former days. This was the "Blackburn House," though not then occupied by the family from which it took its name, but by Mrs. Lisle, one of the feminine "institutions" of the town.*

Mrs. Lisle was the centre of a little coterie, the chief personages of which were now assembled around her. Every one knows the freemasonry that exists in such a set, and it is not without its social advantages. However much they trouble themselves with their neighbours' concerns, they have the good nature and tact to generally keep it to themselves. Among those present this evening was *Mrs. Bob Macdowell*,—a large, bony looking woman, with a turned-up nose and a pouting under lip, that expressed a sour contempt for all that she heard. The writer remembers

It is now, or was in 1859, the Episcopal parsonage, occupied by Rev. T. T. Castleman, M. A., Rector of Trinity Church. It has been plastered and white washed, the grounds stripped of trees, and the building stares at you with sharp, harsh, and stern, almost forbidding outlines, and is, thanks to modern architecture, the most uninviting looking of dwellings.

Mrs. Macdowell perfectly, for she survived this period many years, and she was a character, obstinate, opinionative, incredulous. She not unfrequently breakfasted on beefsteak and Albany ale, daily taking so many pints of that bitter liquid, which was imported into our community by the leading confectioner of the day, Merrill Cushing. Mrs. Macdowell was as unangelic in person as in her diet, dressed gorgeously, and indulged in masterly intrigues, polite hatreds, and a perpetual struggle with the little world of fashion around her. Having failed in a good fight she had waged since her widowhood against all wealthy widowers and bachelors, she had dropped to the rear, desperately wounded, but with life enough left to carry on a harrassing battle with humanity. She indulged in rouge, powder, and patches, and seemed to have far down in her heart the germ of an unlawful admiration for anything scandalous—not to say wicked. When listening to the gossip of her neighbours, she would sometimes exclaim with the affected modesty of a maiden of seventeen "Oh! how delicious, and so improper!" Another of the evening party was Mrs. Telfair, one of the strong-minded women of that day. There was also present Mrs. Blackburn and Mrs. Brown, both originals in their way and of many good qualities. Mrs. Lisle and her friends had been delightfully occupied with their small talk about two hours, during which they had pretty well discussed the affairs of the town, and, among the rumours of the hour, the approaching marriage of William Peyton and Miss Taylor. At the moment they were turning this delicious morsel over their

tongues, the door opened, and a shadow fell upon the table. Turning their eyes, they rose and greeted warmly a tall, strongly-built, straight-limbed, fresh-coloured, young man who entered, hat and cane in hand. This was William Peyton, of whom they had been speaking. He called at the instance of Mrs. Boys, to escort her sister, Mrs. Telfair, on her return home. There was no resisting the importunities of the ladies, and he took a seat and remained to sip a glass of mulled wine.

Now, at the moment this was going forward at Mrs. Lisle's, another scene, a festive scene was taking place in a different part of the town. In Augusta Street, at the corner of Court-House Alley, on the spot now (1873) occupied by the Augusta Law Offices, there stood in 1826, a long two-story frame building, called "The Bryan House." The boards on its sides, from long exposure to wind and weather, and to the action of the semitropical sun of a Virginian summer, were warped, curled, and bent, in a remarkable manner. Originally, when the boards had been smoothly arranged, the exterior of the Bryan House was not unhandsome—now it was horrible to behold. Long since, mischievous boys had shattered the glass of the basement windows, and the cats and dogs of the neighbourhood roamed at liberty through the subterranean vaults. The entire sashes of the dormer windows were gone, and two black holes, like eyeless sockets, stared at you from the roof. These ghost-like apertures, where there were no eyes, let in light upon an upper story as empty as any ever illuminated by visual organs. With two such unprom-

ising stories—the upper and lower—little can be expected from what remains to be described of the "Bryan House." Yet there were two floors still habitable—at least to bachelors, who are generally expected to put up with slender accomodation, and these were known in the legal language of the town as attorney's chambers. They were now occupied by two students of the law. One of these was the late Chapman Johnson, jun., who was at the moment, when William Peyton entered Mrs. Lisle's parlour, sitting amongst a number of chosen friends, pipe in mouth, playing the violin.

Mr. Johnson was a musician out and out, *sons tous les rapports*. In fact, was so absorbed with music that he could not be separated from it : it was himself. He recalled the epitaph on the grave stone of the obscure Englishman, which records "One Claudius Philips, whose absolute contempt for riches, and inimitable performance on the violin, made him the admiration of all who knew him."

Mr. Johnson, certainly from no unusual gravity in his manner, there was confessedly something antiquated in his appearance, had been called from his fifteenth year "Old Chap." He was (for this dear old friend of my youth has been gathered to his fathers) a social, harmless, improvident, generous fellow. From his chambers there was ordinarily a sound of revelry by night. As may be imagined, he was personally popular, particularly among the younger portion of the community. Old Chap possessed more than social qualities, was a man of excellent abilities and sound

professional knowledge, yet his life had been a failure. No success attended his presence at the bar, nor when subsequently elected a member of the House of Delegates of Virginia did he add anything to his fame. His singular inefficiency was attributed to various causes. To my mind it seemed that he had never proposed to himself a certain aim in life and set forward steadily to attain it. Possibly, like many boys, he thought there was time enough, and grudged all that interfered with his pleasures; that, unmindful of the wise maxim of the ancient poet, he was always "sowing his wild oats," did not renounce his gaieties at the proper time. *Nec lusisse pudet, sed non incidere ludum.* It may be that he wanted the opportunity — Opportunity! phantom goddess of success, that so few seize and make their own. And nothing is more true than the remark of the younger Pliny, "no man possesses genius so commanding as to be able to rise in the world, unless these means are afforded him: opportunity and a friend to promote his advancement." If it be true that hell is paved with good resolutions, may it not be roofed over with lost opportunities. "Old Chap" had relations at the bar in Virginia, who were, at the time of his coming forward, in good practice. Had one of these extended a helping hand to him at the critical moment, he would in all probability have become a shining light in the profession. All watched his sinking, no one offered to rescue the drowning man. He was allowed to waste his best years in vain waiting, at times

goaded by his pecuniary difficulties to desperation, and anon driven to despair. His selfish connections who pretented to be friends, but were his cruelest enemies—those who saw him fail and die of a broken heart—verily, they have their reward. But what is that reward? Not the smiles of heaven; nor the testimony of a good conscience; scarcely the praise of men. If the latter, has been their reward, let them enjoy it. Whether it was the meanness, the baseness of his so called friends—enemies he had none who dared to avow it—or his own idleness and indifference, which I do not believe, his life was nevertheless a failure, and this man of real legal learning, of fine logical mind and persuasive eloquence was wholly unsuccessful. No one knew exactly why. My father had his opinion upon the subject, and thought he fiddled away his time and leaned too much upon his relations. He said of Old Chap, in a moment of merriment, and no one was fonder of a good *jeu d'esprit* than John Howe Peyton—"Music is out of place in a court house. I never knew a fiddling lawyer to succeed, especially if nature designed him to play that useful, yet much despised, instrument, the "second fiddle," a good enough instrument for a duet, but one on which no successful solo was ever played."

But, to proceed with my narrative, Old Chap's friends were, on the night referred to, listening with rapt attention to the dulcet strains of music, and Paganini never called forth sweeter sounds. Now and

again they pledged him a health as they quaffed from a bowl of egg-nog. As the evening advanced they mellowed into the most delightful companionship. Such are the seductions, too, of this popular Virginian drink, that when they left off at eleven o'clock it was without exception with glowing faces and watery eyes. A few moments after this, William Peyton and his friend Moore, having conducted the party of ladies to their respective homes, were returning in the direction of the old stone house when they espied the lights in Old Chap's sitting room. As neither of them was disposed for sleep they determined to pay an unseasonable visit to their friend and indulge in a whiff of the calumet. Stumbling up the dark stairs, they entered without knocking. Here they saw Old Chap in the midst of his friends, his pipes, and bottles. The warm-hearted fellow greeted them cordially, and proceeded to fill two tumblers with egg-nog. After awhile they subsided into arm chairs, and continued their chit-chat, while one after another of the company dropped off, and the three were left alone. William Peyton then informed his friend of his approaching marriage and secured his services to attend upon him as "best man," when the nuptials were celebrated.

The friends sat an hour longer over this absorbing topic, indulging in occasional sallies of playful wit, puffing away at their meerschaums, and watching the smoke wreathing up to the ceiling. Young Peyton, and indeed Sam. Moore for the matter of that, though several years his senior, was drinking in worldly wisdom

from the lips of their venerable friend, as they called Old Chap, whom they esteemed the very guide-book to everything connected with matrimonial life. Why Old Chap was so considered it is not the easiest thing in the world to tell. Never had he made a trial in that direction himself, and more than once he had been heard to say rather dogmatically "*Mes enfants*"—he always spoke a little French after his egg-nog "*vous ne pouvez pas,*" "wive and thrive."

But to cut my story short. In accordance with the announcement of this evening, William Peyton was married to Miss Taylor within a month of this time, in the year 1826. It may not be out of place to say here, what was proved by time, that they were well-mated and knew each other's worth; William ever thought that no wife surpassed his own; and she exulted in her husband —regarding him as her greatest earthly gift from God. Their union recalled the lines of Massinger:

> "I know the sum of all that makes a man—a just man—happy,
> Consists in the well chosing of his wife;
> And then well to discharge it, does require
> Equality of years, of birth, of fortune;
> For beauty, being poor, and not cried up
> By birth or wealth, can truly mix with neither."

The little town broke out in an extravaganza of flags and flowers on the occasion of this wedding—everyone went in for pleasure with a will.

One of the landed estates my brother acquired by his wife, was the Hot Springs, in Bath county, Virginia—a property which was sold, by the by, in 1864, for three

hundred thousand dollars (£60,000).× Shortly after his marriage he removed from Staunton to the Springs, where he passed three years. When leaving Pocahontas Court house, after the conflagration of his clients' bonds, in order to avoid any demonstration they might be disposed to make in his honour, it was to join his young wife at this Spa. She was then the happy mother of two lovely daughters, Elizabeth Thompson and Susan Madison.

While residing at the Hot Springs, the following incident occurred, and though some might consider it too trivial to be mentioned, is deemed not unworthy of being recorded in further illustration of his character. Among the intimate friends of his youth was a young gentleman still living, whom I shall call A. B. Young Alexander wished to marry an accomplished lady who was governess in his father's family. For several years, without the fact transpiring, he was her suitor and had proffered her marriage. The affair finally came to the knowledge of his father, who was greatly incensed, as is usual in such cases, and he determined, if possible, to break off the match. Old Mr. B. declared that if his son persisted in marrying one so much his inferior in social position and fortune, he would banish him for ever from his presence, cut him off with a shilling. Young A. B., who had no independent means, was greatly troubled at this opposition, and wrote to his friend Peyton, relating the circumstances of the case and asking his advice. My brother, in reply, said, among other things, that in

the conflict of duties, Alexander owed more to the lady than to his father, since he had secured her affections and pledged his honour to marry her; that he owed it to himself, as well as to the young lady, to fulfil his engagement. He continued, "Her family is really only inferior to your own in wealth and the kind of position it gives—the opposition of your father is therefore selfish and unreasonable." Hence he advised him, to be constant to his engagement. "As soon as you are married," he continued, "come to my house and make it your home, until you are able from your legal practice to support your family. I will supply you with means in the interim, and will not accept payment, unless your father repents of his hasty decision, and permits you to share his property equally with his other children." Delighted with these sentiments and with the noble evidence of my brothers friendship, Alexander determined to act upon his advice. Before taking the final step, however, he thought it advisable to confer again with his father and show him the letter. Seeking his father's presence, he announced his resolution, declaring that it was absolutely necessary to his happiness and success in life. If he was disappointed in this matter, he felt he was wrecked; had he anticipated his father's opposition, he would not have allowed his feelings to become so involved; as it was, matters had gone too far for a retreat. He continued saying that his honour was implicated, not only in his own, but in the opinion of his best friends, that he had recently received from one

of these, William Peyton, whom his father had always held up to him as a model worthy of imitation, a letter going over the whole ground. He would leave this with him for perusal, and call the next day to ascertain what he thought of the advice it contained. It must be remembered that the affair had caused so much unpleasantness in Mr. B's. family, that Alexander was virtually banished from the paternal roof and was staying at the house of a relative in the neighbourhood. Two days after this interview he called on his father, and was greatly surprised and delighted to receive a friendly reception. The old man said he had never been more impressed than with the good sense and right feeling of William Peyton's views, that they had brought him back to his good sense and completely changed his mind. I no longer oppose, said he, your union with a woman who is worthy of you, simply because she is poor, one whom you love so tenderly, and who returns your affection. A wise man has said, continued Mr. B., that he who has one friend is fortunate and ought to be happy. You, my son have a true friend in William Peyton—cherish him. If I felt that you would be guided by his counsel and advice throughout life, I should have less regret in giving up the ghost. Promise me that you will at least always consult him when in trouble. His son was not slow in making this promise, and, receiving the blessing of his father, hastened to communicate the happy news to his affianced

bride. They were married soon after. Mr. and Mrs. B. survive, surrounded by a numerous offspring, the learned Mr. B. an ornament to his profession and an honour to his State. The dear friend, William Peyton, to whom they owe so much sleeps under the green sod, but his memory yet lives and is hallowed in the recollection of all those who knew him.

CHAPTER VI.

Finding, after a further residence of a year at the Hot Springs, that the climate was not good for his health, nor the society congenial to his tastes, he made sale of that valuable property to Dr. Samuel Goode, of Mecklenburg, receiving from him in part payment an extensive landed estate in Botetourt. Shortly after he removed to that county, which is situated in one of the most favoured agricultural sections of Virginia, and in a part of the country remarkable for its picturesque scenery, pure air, and cultivated society.

He resided there, with the exception of a few years spent on the tributaries of the Kenawha river, developing the wealth of his coal property almost down to the period of his death. He kept a large establishment, dispensing a generous hospitality, and was surrounded much of the time by the learned and accomplished gentlemen of the state. The charms and variety of his conversation, and the polite animation of his manners and address, made him the delight of

his guests and companions. In the county society of Botetourt and Roanoke, he soon became the chief object. All paid him that deference and respect which seemed due to his superior nature. Among the most noted in this society, all of whom the writer remembers to have seen at his dinners, were Edward Watts, James L. Woodville, Harry Bowyer, Charles Burrell, William Radford, Dr. John B. Taylor, Cary Breckenridge, Major Benjamin Howard Peyton, Governor Floyd, Hon. William B. Preston, General Robert Preston, Charles Beale, George Taylor, Alexander P. Eskridge, Colonel Edmondson, The Right Rev. Mr. Wilmer, Bishop of Georgia, Colonel Wm. Lynn Lewis, Major Oliver, Edward Valentine, J. R. Anderson, George Shanks, Dr. Griffeth, Thomas C. Read, and Mr. Langhorne

Some of these gentlemen, though residing in the adjoining county of Montgomery, were near enough to come on occasions of a dinner party. Among his guests from a distance, some of them making him an annual summer visit, were the late Governors of Virginia, General Campbell, James McDowell, James P. Preston and J. B. Floyd, the Honourables W. C. Rives, John M. Botts, Wm. L. Goggin, Wm. Taylor, Alexr. Rives, Thomas W. Gilmer, Thomas Jefferson Randolph, Messrs. Chas. L. Mosby, William Radford, James E. Bruce, Vincent Witcher, Thos. W. Flornoy, Dabney C. T. Davis, John Howard, James P. Halcombe, Walter Preston, James Lyons, Charles Carter Lee, General Brenard Peyton, Randolph Harrison, Colonel A. S.

Gray, Revd. Peyton Harrison, all choice spirits. The reader already knows what a polished man was Colonel Peyton, and will not wonder at the admirable skill with which he played the part of host—a part so difficult to sustain. At that early period of my life, when I had a seat at his table (and he always insisted on my being present on every occasion of a dinner party), I was struck and delighted at the ease with which he dissipated the constraint and reserve which usually prevail during a formal dinner. He addressed his guests alternately speaking to each concerning those subjects upon which he could expect a ready answer, and by a kind of intuition elicited from each the qualities in which he most excelled. Gentlemen sought his society for the pleasure and improvement to be derived from his conversation, to consult him upon State or Federal politics, and not to "banquet and drain the bowl." The scenes at his house recalled to my mind Florence and those merchant statesmen and munificent patrons of learning, the Medici.*

* In 1453, Constantinople was taken by the Turks. Its walls had sustained the fortunes of the Eastern Empire nearly 1000 years; that Empire now fell. The news of this event spread terror throughout Europe, nevertheless it proved to be among the things which "work together for good to them that love God." All that could escape, fled before the conquering Ottomans, and carried westward all they could save of the accumulated treasure of Greece; and the outcast were gladly received at Florence, which was at that time the resort of all who had a taste for learning and the arts. Cosmo de Medici, who had no hereditary nobility to boast, had risen to the highest place of authority in the State; his family had commercial establishments in all the chief cities of Europe, and the wealth thus acquired he shared with the poorest of his fellow citizens, and expended in improving his city, supporting learned men, and collecting all kinds of literary treasures; large numbers of persons were engaged in the costly and tedious labour of transcribing MSS, which were so highly valued that a copy of Livy, sent by Cosmo to the King of Naples, was the means of healing a breach between them.

Had the condition of the country admitted of it, his home would have been surrounded by the learned, as was the Tuscan Capital when the Turks scattered the wise men of the Lower Empire, who took refuge thither, yet he was not a pedant, but what our fathers used to call an elegant scholar. His company and manner of life recalled to mind the life of Lord Falkland, of whom Clarendon thus speaks, "His house being within little more than ten miles from Oxford, he contracted familiarity and friendship with the most polite and accurate men of that University, who found such an immenseness of wit, and such a solidity of judgment in him, so infinite a fancy, bound in by a most logical ratiocination, such a vast knowledge, that he was not ignorant in any thing, yet such an excessive humility as if he had known nothing, that they frequently resorted and dwelt with him, as in a college situated in a purer air, so that his house was a University in a less volume, whither they came, not so much for repose as study, and to examine and refine those grosser propensities which laziness and consent made current in vulgar conversation."

The universality of his learning, its accuracy, and the manner in which he discoursed upon even professional topics recalled the lines of Henry:

> Hear him but reason in divinity,
> And, all-admiring, with an inward wish
> You would desire (he) were made a prelate.
> Hear him debate of commonwealth's affairs,
> You would say,—it has been all and all his study.
> List his discourse of war, and you shall hear

> A fearful battle rendered you in music;
> Turn him to any cause of policy,
> The Gordian Knot of it he will unloose
> Familiar as his garter; that when he speaks,
> The air, a chartered libertine, is still,
> And the mute wonder lurketh in men's ears,
> To steal his sweet and honeyed sentences.

Much of the happiness, indeed, of his life was derived from the companionship of his friends, from indulging in this most grateful tie of human society; to him to have lived without friends, would have been not to live. A maxim which cannot be understood by those, who, entirely devoid of regard for others, have no friends and do not deserve to have any, because they only live for and love themselves.

His mansion was like so many others in Virginia, timber-built, and though altogether an extensive edifice was composed of many disjointed parts. These separate buildings were connected by halls and verandahs, which gave a picturesque appearance to the exterior, while protecting it from the sun, wind, and rain. The rooms were spacious and furnished with all the riches of the Eastern world, nor was there anything in the embellishment of the house, the furniture, or articles of vertu like ostentatious display—the arrangements were such that the idea suggested by the *tout ensemble* was that of classic grace. It was replete with not only every comfort, but, indeed, every luxury, and surrounded by park-like grounds, which were improved with exquisite taste, and yet so consummate was the art by which it was done, that the hand of man was unseen, and it appeared but nature's work.

Shaded by noble trees and intricate bowers, enamelled with flowers and all kinds of herbs and plants, which basked in the sunshine of the slopes or bloomed in the dark vales, ornamented with water which sparkled in the light and glided away with refreshing sound, the whole aspect of the scene was enchanting.

To this house he brought his extensive collection of books, paintings, prints, medals, coins, statues, china etc.,* and when not surrounded by society or engaged in superintending the affairs of his estate, was either occupied with these objects of art and curiosity or in composing essays on some moral, philosophical, scientific or practical subject. Some of these on agricultural chemistry and its application to the growing of crops were published in the "Southern Planter," of Richmond, and the "Farmers Register."†

In one series he discussed the question of rust in wheat, and demonstrated the unsoundness of the popular theory upon the subject, at the same time putting forth his own views to the effect that it was due to an exuberant growth of straw, stimulated by repeated showers of rain followed by very warm weather immediately

* This valuable and *recherche* collection, the costly furniture, heirlooms, etc., which survived the civil war, was burnt with Colonel Peyton's mansion, in May, 1870.

† The latter was edited by the late Edmund Ruffin author of an interesting essay on Calcareous Manures, who fired the first shot against Fort Sumter, S. C., thus opening the civil war of 1861-65 in the U. S. Mr. Ruffin committed suicide in 1865, when seventy years of age, unable to bear up under the subjugation of the south. He thus proved that he wanted true magnanimity, for it shows the most exalted courage to support the accumulated ills of life without despondency.

preceding the time of harvest, a theory which is now almost universally accepted as correct. Of course, his attack on the popular theory was not allowed to pass unnoticed and a warm discussion arose in the Register, between him and *Mr. Jessie Turner*, a successful planter and agricultural chemist.

His time was further occupied in a series of kindly actions. His wealth was dispensed with an unsparing hand. As magistrate for the county, and sitting regularly at the Quarter Sessions, he had opportunities of knowing the business and affairs of the county and thus becoming acquainted with many real cases of want. These—for his generosity was judicious not indiscriminate—he invariably relieved. Honest tradesmen, whose operations were restricted by lack of means, were assisted by him. He paid the debts of prisoners and set them free to labour for the support often of dependent families, relieved the distress of poor widows and orphans, and redressed, whenever an opportunity presented, the wrongs of the oppressed. Numberless were the quiet obscure distresses he thus succoured. He did not merely understand what was good, but practised it.

From these remarks the reader will not be surprised to learn that he enjoyed great popularity, and that the people of Botetourt were anxious to give form and substance to their appreciation of his merits by securing his services in the public councils.

This remote section of Virginia was almost wholly without public improvements. There were no navigable

streams, no canals, no railways, no macadamized turnpike roads. People were virtually imprisoned, except during the summer. In winter the roads were almost impassable, and it was a common thing to see the four-horse mail coach floundering in the mud, the passengers walking in the fields, taking it by turns to carry *a rail.**

The people of eastern Virginia, whom the beneficent author of nature had supplied with many navigable streams, and a porous, sandy soil, which drinks up rain, leaving the roads firm and smooth, were unwilling to vote funds from the State Treasury for constructing high ways in the transmountain country. By this ungenerous conduct they had kept the western counties unimproved for upwards of a century. To break down this selfish policy and inaugurate a more liberal and generous system of internal improvements, had long been the cherished object of the western people. They had sent to the legistature, from time to to time, their ablest men, hoping to succeed through their efforts in securing a system of general state improvement out of a common fund, for the common good. Among the able men, west of the Blue Ridge, whom they elected with this view, were Robert Y. Conrad, James M. Mason, General Briscoe, G. Baldwin, Thomas J. Michie, George W. Summers, Robt. Trigg, Benjamin Smith, Gov. J. P. Preston, General Samuel Blackburne, and J. W. Brokenborough. Their efforts

*A rifled log or long piece of split timber used as a lever to raise the coach wheels out of ruts and mud holes.

were futile, and many amusing caricatures were circulated to mislead the people in Eastern Virginia. At one time it was said that the object of Western Virginia was to remove the capital from Richmond to Staunton, and this rumour contributed to band the people of the east against schemes of western improvement.

The inhabitants of western Virginia were daily becoming more anxious on the subject, and more determined, if possible, to secure such an extension of railroads and canals from the east, as would open the markets of the sea-board, and of the world, to the products of their soil of teeming fertility. Though long defeated in their enlightened policy, they were still active and sanguine of ultimate success. As indispensable to their ends, it was now thought necessary to secure the services of their ablest citizens in the General Assembly. With this view, the voters of Botetourt, wished to avail themselves of the talents and influence of their friend and neighbour, Colonel William Madison Peyton.

Accordingly, during the winter and spring of 1838, he received numerously signed requisitions from the principal inhabitants of the county, requesting that he would allow them to present him at the forthcoming spring election as a candidate for a seat in the House of Delegates. After much reflection—for he had no taste for politics—and the urgent appeals of his friends, he acceeded to their wishes and in the month of May, proceeded in company with the late Mr. Shanks of Fincastle, to canvass the county. Party spirit ran high,

and the opposition faction were early in the field with two of their best men. Appointments were made for public meetings, and at these the rival candidates appeared and addressed the masses in what are called "stump speeches." It was agreed on all sides that Col. Peyton's efforts during this canvass were the finest specimens of popular oratory which had been heard in Virginia since the days of Henry. His colleague, Mr. Shanks, surrendered the rostrum almost entirely to him, and everywhere he aroused the utmost enthusiasm, resuming his seat at the end of each speech in the midst of a storm and diapason of applause. Indeed, to use a strong phrase, he made "short work of his opponents," who retired from these intellectual contests completely discomfited—entirely routed. It is scarcely necessary to add, what the reader will already have anticipated, that he was returned, with his friend Mr. Shanks, at the head of the poll, by what is called in our electioneering language, a triumphant majority. Upon the opening of the next session of the General Assembly, he took his seat, and the reader will see with what success he advocated the cause of western Virginia as a claimant for internal improvements. It may not be uninteresting to mention that at the same session our venerable father occupied a seat in the Upper House as senator for *Augusta and Rockbridge*. For the movement in behalf of and against a general system of internal improvements was general—the people of both sections calling from retirement their wisest and best men. In this crisis the voters of Augusta and Rockbridge urged our father to sur-

render his office of Public Prosecutor, which he had held nearly thirty years with so much honour to himself, and so much benefit to the public. He did so, reluctantly, and was elected senator. For a like reason they sent to the House of Delegates at this session, or within the next few years, his life-long friend and associate at the bar that able jurist and excellent man, Briscoe G. Baldwin, who was some years later elevated to the Supreme Court of Appeals of Virginia; Alexander H. H. Stuart, subsequently Secretary of the Interior; George W. Summers, of Kenawha, and others. The people of the eastern counties at the same period electing their ablest statesmen, such as Robert E. Scott, V. W. Southall, William Daniel, Oscar M. Crutchfield, etc.

One of the first duties of this assembly was the election of a U.S. senator. The conservative party presented Mr. W. C. Rives as their candidate. That gentleman had served several times in congress, and resided abroad four years as Minister Plenipotentiary to the Court of the Tuileries. In both positions he displayed much skill and ability, By some of the leaders of the Conservative party, he was mentioned as a suitable successor to Martin Van Buren in the Presidency. No means, therefore, were likely to be neglected by his opponents for his defeat. By preventing his election to the senate, the radicals hoped to outflank him in the Presidential contest. Canvassing had proceeded in Richmond with more than the usual animation several weeks, yet it was impossible to forecast the result.

William Peyton was an active friend and supporter of Mr. Rives; they belonged, of course, to the same party, and he inherited a friendship for him from our father, which had been cemented by much personal intercourse. Besides, Mr. Rives had placed William under obligation in the following manner. At the period, (years before this time), when Mr. Rives was appointed by the President, (Jackson,) Minister Plenipotentiary to France, he nominated his young friend, Peyton, as Secretary of Legation. Private and personal reasons induced Peyton to decline the appointment, but he always entertained a grateful sense of the high distinction conferred upon him. To his conscientious conviction, therefore, that the good of his party, and in some measure the welfare of his county, depended upon Mr. Rives' return, which stimulated his zeal, he brought his warm feelings of personal friendship to bear in the contest, and spared no effort to secure the success of his friend.

The veteran leaders of the party in the assembly, witnessing with admiration his zeal and the success with which he laboured, determined in private, the night before the election, that his should be the honour of nominating Mr. Rives. The position is somewhat similar to that in the British Parliament of confiding to the two most rising of the younger members of the Government party the duty of moving and seconding the address to the Sovereign.

Accordingly, upon the next day, the 14th of February, 1839, when the House was assembled, and Mr. Speaker

in the chair, Colonel Peyton rose and made his nominating speech.

It was published in the daily papers and in pamphlet form, but the author has not been able to procure a copy, notwithstanding repeated efforts to do so through correspondence with friends in America. It was considered the most eloquent of his parliamentary utterances.

Mr. Rives' nomination was seconded by Hon. J. S. Pendleton, late M.C. for Virginia, who opened his speech with a high compliment to Colonel Peyton upon the elegant and eloquent manner in which he had presented Mr. Rives claims to the Assembly.

After a warm contest it was found impossible to elect Mr. Rives, whose public course had offended the prejudices of certain sections of the party. All eyes were then turned to our venerable father, who, having made one sacrifice in giving up a lucrative office to enter the Assembly, was expected to make another by going to Washington for six years at his advanced age. He, however, feeling his great weight of years, peremptorily declined under any circumstances to allow the use of his name. The party then held a conference and determined to elect my brother, who had offended nobody, and whose election, had he consented, was beyond a doubt. He, too, firmly refused to accept the candidature or station, because he was unwilling to interpose between his friend Mr. Rives and the object of his ambition. No other available candidate being within reach, from necessity, and by common consent, the election was postponed until the following session.

Exciting rumours were afloat this winter of a serious difficulty between Great Britain and the United States on the subject of the Oregon boundary line, in fact the sovereignty of the whole territory was in dispute. Both Great Britain and Spain had, as early as 1789, set up a claim to this extensive region, but, as the United States Government considered, on vague and unsatisfactory grounds. The American Government claimed it by reason of the discovery and exploration of two distinguished American pioneers, Lewis and Clarke. The citizens of the Republic had so long been accustomed to deem it their own, and so many of their children had settled in it under this conviction, that no Government would dare surrender it without a war. As England refused to allow the American claim, there seemed no peaceable way out of the difficulty. Hostilities with Mexico were also threatening, owing to the revolt of Texas and the aid she had received from American citizens. The Governors of the different States were apprized of the delicate nature of the Government's foreign relations, and ordered to organize the State forces, with a view to placing in the field, at short notice, two invading armies—one to advance on the city of Mexico from Vera Cruz and the river Sabine, and the other to converge on Quebec from different points on our northern frontier. At this juncture, Governor Campbell, of Virginia, a distinguished survivor of the war of 1812-15, appointed William Madison Peyton to a post on his staff, with the rank of Colonel

of Cavalry. He informed Colonel Peyton that he did this with a direct view to the impending war with Great Britain, Mexico, and their allies, and because of his perfect confidence in his judgment as an adviser, and in his gallantry, which had been made conspicuous on more than one occasion since his encounter with Van Bibber. Colonel Peyton immediately accepted the position.

During this session of the legislature, the county of Botetourt was divided, and a new county formed of that portion lying south of a line drawn east and west through the suburbs of the village of New Amsterdam, which was called Roanoke. Colonel Peyton's home was in the new county.

To those whose attention was directed to the career of Colonel Peyton in the legislature, it was evident from his course during this session that he brought into the political arena all his high intellectual qualities, and all the grandeur and heroism of his character. He was soon the object of everyone's confidence, it might almost be said of everyone's veneration. About him he carried that priceless talisman, the magic of exalted moral character; he was trusted by the members from eastern Virginia, confided in by those from the north-west, and looked up to by those from the valley and south-west, and is believed to have been more completely the confidant of the whole political secrets connected with the movements of that time than any other man. All-worthy, too, was he of the trust reposed in him! His heart was the temple of honour, which nothing selfish or unjust could approach.

When it was ascertained that, owing to the division of parties, no election of senator could take place during this session of the General Assembly, a committee was appointed, at the head of which Colonel Peyton was placed, to prepare an address on behalf of the conservative party to the people of Virginia. This gave rise to the following document from his pen, which was widely circulated throughout the Commonwealth:—

TO THE PEOPLE OF VIRGINIA.*

Fellow citizens:—The term of service of one of the senators of this State, in the senate of the United States, expired on the 4th day of this month. In contemplation of this event, the duty devolved upon the present General Assembly, under the Constitution, to elect his successor. Hon. William C. Rives was the incumbent, and was put in nomination for re-election; and the undersigned adhered to his support with constancy and zeal. A struggle, unexampled in the history of Virginia, for its duration, and the pertinacity with which the advocates of the several candidates adhered to them, continued until it was believed impossible to make an election; and after consuming seven days in fruitless balloting, the order was indefinitely postponed.

As it is determined by all parties, that this subject shall not be disturbed during the present session, the duty of supplying the vacancy will devolve upon the next General Assembly, and thus, in an especial manner, it is necessarily and directly referred to the people. Under these circumstances it seems to us, that propriety dictates a full and candid exposition of the motives

* This address and all the speeches and published letters of Colonel Peyton, engrafted in this work, are in the library of the British Museum, as they originally appeared in Richmond.

and feelings which have influenced *us*, during the late exciting contest, and which will govern our future course. While we did not desire to avoid that share of the responsibility of making the election, which rested upon us as a constituent portion of the legislature upon which that duty devolves, we at the same time wish to be distinctly understood, as not in the least deprecating that appeal to the sovereign authority of the popular will which has been produced by the extraordinary state of parties and opinions in the legislature. Indeed, the only source of regret on that score is, that this appeal cannot be made more absolute and complete. The House of Delegates, where the re-election of Mr. Rives was repeatedly sustained by a decided plurality, is subjected to the ordeal of the popular suffrage every year, whereas the Senate is only renewed every four years, and three-fourths of that body, by its organization are removed for the present, from responsibility for any disregard of the popular will, which they may have committed in the Senatorial election. That those Conservatives who were members of the Senate had no disposition to abuse that immunity, is sufficiently evinced by the fact that when it was proposed, in an early stage of the contest, to postpone the election, indefinitely, an amendment was moved and voted for by them, annexing as a condition, that each Senator should resign at the end of the session, and thus put it in the power of the people to elect a Legislature which would fully reflect their wishes. Had this obtained, there would, in that event, have been no danger that the action of the representatives "fresh from the people" would be "check-mated" by a body removed measurably from their control and who might safely bid defiance to their wishes. This proposition, however, was voted down, and even by some of those who most strenuously urged the propriety and duty of waiting for "new lights from the people," before

venturing to perform the high and responsible duty of electing a Senator.

We do not mean to indulge any complaint that the election has been postponed. Some of us at last voted for it, from a conviction that it had been demonstrated that the legislature was so constituted as to render it impossible for a majority to agree upon any individual. Claiming for ourselves to have acted according to our honest and conscientious convictions of duty, in refusing to be accessory directly or indirectly, to the defeat of Mr. Rives, we have no disposition, even if we had the right to question, and do not mean to censure the conduct of any one who refused to co-operate with us in supporting him. Recognizing freely and fully our own responsibility to our constituents and to public opinion, we refer others to the same great tribunals, and leave them to justify themselves as they may.

Our main object in this address is, to present to our constituents and to the country our own reasons for the course we have felt it to be our duty to take, and we shall await their judgment with the calm serenity of conscious rectitude. We have no desire to abate one jot or tittle of the full weight of responsibility which we have assumed. It was repeatedly in our power, during the progress of the election, by abandoning Mr. Rives, and by throwing our votes upon John Y. Mason or Chapman Johnson, to have elected either one of them. We could not, however, reconcile it with our sense of duty to do so, and whatever of credit or blame attaches to us we are willing and ready to enjoy or suffer it all. It is, however, unquestionably true, and we beg it will be borne in mind, that the friends of the other nominees stand precisely in the same predicament. The friends of Mr. Mason could at any moment have decided the contest in favour of Mr. Rives or Mr.

Johnson, as the friends of the latter could at any time have decided it by voting for Mr. Rives or Mr. Mason*

We acted in this matter with due deliberation, taking every step candidly and dispassionately, and now plead our justification, and put "ourselves on the country." Seeing that the large body of the Administration party, with which we had heretofore acted, were determined to withdraw their confidence from Mr. Rives, and willing, and even desirous to co-operate with them, so far as we could, without an abandonment of principle and duty, we anxiously sought to know upon what grounds those professing the principles of the Republican party, and determined to sustain the character of this 'Ancient Commonwealth' could aid in surrendering up our distinguished Senator, as a victim to be sacrificed on what was called in debate the altar of the bloody Moloch of party. But we appealed in vain—no act could be instanced which forfeited his claims to Republican orthodoxy. We very soon became convinced that no just reason existed for the fury and rancour with which he was assailed by the "sink or swim" oracles of the Administration party on the one hand, or by the intolerant leaders of the Impracticable squad that attacked him from the opposite quarter.

It will be recollected that scarcely three years have elapsed since Mr. Rives was recalled to the Senate of the United States, by that party in the Legislature and out of it, who are now so industriously plotting his downfall. We would respectfully ask them, what just expectation has he not fulfilled? What principle, that he ever professed, has he deserted? What pledge, expressed or implied, has he violated? Not one, no, not one. He has not failed to represent the opinions

* It will not be denied, that if those members of the legislature, who were either elected on account of their declared preference of Mr. R., or under distinct pledges to sustain him, had redeemed the expectations thus created, the election must have been promptly decided in his favour.

of Virginia in a single particular, and no man in the Senate of the United States has been more diligent, prompt, energetic, able, and intrepid in defending the principles, maintaining the interests, and asserting the rights of the people of Virginia. It is, indeed, *suspected* that in his zeal for the county he has not been sufficiently mindful of the interests of his party. It is thought, that in resisting the behests of the Executive, he has been more devoted to the duties he owes to his constituents, the people of Virginia, than to promoting the triumph and adding to the power and importance of the President. "The head and front of his offending hath this extent, no more." Many of those, who, with Pharisaical humility, claimed to be the especial representatives of the Republican party in the Legislature, declared that they did not oppose the re-election of Mr. Rives in consequence of his difference of opinion with them and the President on the leading measure of the Administration, the Sub-Treasury expedient. Indeed it has been announced, *ex cathedra*, by the organ of the "sink or swim" party, in Virginia, that Mr. Rives would have received the united support of that party, notwithstanding his hostility to the course of Administration on the subject of the finances, provided they could have been satisfied he would have supported the Administration in all other things.

Whether such a pledge, under any circumstances, would have been consistent with the character of a Virginian senator, and proper to be required by the Legislature, or any part of it, as the condition of their support, we will refer to the judgment of the Public. We are confident that no man, properly imbued with the spirit of freedom, or duly impressed with the sacred duties, and solemn responsibilities of a representative of the sovereign state of Virginia, in the senate of the United States, would ever require such a pledge, or justify any man aspiring to that station, in making it.

We trust that the Senate of the United States will never be humbled into the condition of a mere political junto to register the edicts of the President, and instead of being, as it was designed by its organization, the guardian of the rights of the States in their sovereign capacity, degraded into a mere privy council of the Executive, acquiescing in his demands with the humble submission of an eastern Divan to the orders of an Asiatic despot. We are satisfied that many of those who raised the objection we are now considering, would revolt at the imputation that they wished or demanded any such humiliating debasement; and yet the avowals of what would have been sufficient to have secured their support and the known spirit of the opposition to Mr. Rives, inevitably lead to such degradation of the Senate. No declaration of principle was required of him. His opinions, in regard to all the great questions of constitutional construction and practical expediency, had been long known and approved by the Republican party of Virginia.

It may be well to add, as an instructive fact in the history of the late contest, that these same self-styled *Simon Pures* of Democracy, who pride themselves in nursing their wrath against the United States Bank, publicly proclaim, that the Sub-Treasury is a question of minor importance, and the great issue presented to the country is Bank or no Bank—that the former is a question of expediency only, while the latter involves a constitutional principle of the utmost magnitude and importance. With these professions constantly upon their lips, it is impossible we can close our eyes to the glaring inconsistency in which their conduct involves them. Numerous and conclusive proofs might be adduced to show, that those who, like ourselves, utterly repudiate a National Bank, as both unconstitutional and inexpedient, but who are inimical to the Sub-Treasury, are viewed by the friends of the latter measure with

infinitely greater suspicion and distrust than the open and avowed advocates of a Bank of the United States; but there are one or two so directly connected with the subject of this address, that we cannot omit inviting your particular attention to them. The uniform hostility of Mr. Rives to the incorporation of a National Bank, at all times and under all circumstances, is so universally known to the people of Virginia, that no man has ventured to express a doubt upon the subject; and yet in the late Senatorial election, a portion of the friends of the Administration in the House of Delegates, including two of the most distinguished members of that party, recorded their votes for Mr. Chapman Johnson—a gentleman, it is true, of eminent talents, and great private worth, but the known and decided advocate of the re-charter of the U. S. Bank, and who has differed with the present and late Administrations upon almost every question of principle or expediency, whether practical or theoretical. It is equally notorious that a large portion of these straight-laced Republicans, did at one time meditate bringing forward, and openly avowed their readiness to sustain, in preference to Mr. Rives, the President of the Court of Appeals, with all the sins of the Bank, and internal improvements by the general Government, unexpiated and unatoned for, except by the support of the present financial scheme of Mr. Van Buren. And that, when the Van Buren Convention assembled, containing as it did, a "large infusion" of representative purity, "fresh from the people," they unanimously, with characteristic consistency, called this same distinguished gentleman to preside over the deliberations of this newly-christened "Democratic Republican States Right" party. These examples are sufficient to show how little confidence can be reposed in the professions of a disposition on the part of the supporters of the Sub-Treasury, to treat that question as one of subordinate importance to the

Bank question, or to regard a difference of opinion with them, on that subject, as furnishing no sufficient ground for withholding from its opponents their countenance and support. But it is idle to reason upon this subject, when there are none so blind as not to see the plain and palpable proofs which are every day presented to us, of the settled and deliberate purpose of the friends of this measure to make it the test of political orthodoxy [*See Note A.*]

The opinion is becoming almost universal, that there is no necessity for the establishment of a National Bank to regulate the currency or administer the finances of the country. The system of internal improvements by the general Government, seems by common consent, to be abandoned, and the controversy about the tariff for protection has been, it is hoped, terminated by the celebrated Compromise Act of 1833. Should any of these measures be at any time unfortunately revived, we have the most abundant guarantees for his future course in regard to them, in the uniform coincidence of opinion in past times, between Mr. Rives and the people of Virginia, and in his zealous and harmonious co-operation with them in opposing these unconstitutional and dangerous stretches of power. Indeed, we may boldly challenge the opponents of Mr. Rives, of whatever hue and shade of political complexion, to point out one single prominent measure of Government, on which he was required to act at any time since he came into public life, in which, as a representative, he has not faithfully reflected the public sentiment of the State, and discharged his duty to the satisfaction of the Republicans of Virginia. In respect to no measure, has he more unquestionably been a faithful representative of the opinions and interests of his own State, than upon what was termed by the Republicans, in 1834, "that odious Federal conception," the Sub-Treasury scheme. He has, with unflinching steadiness and

undaunted firmness, resisted the thrice-repeated attempt to enlarge executive power and put into the hands of the President the means of corruption, disclosed in a manner calculated to alarm the Republicans of the old Dominion, and "indicating a hostility to State institutions, which augured badly for the rights of the States." In this he has considerably and steadily "walked in the footsteps of the illustrious predecessor" of Mr. Van Buren, and maintained the position which in common with the whole Republican party, and indeed in common with almost the entire body of the Opposition party, he occupied in 1835. [*See Note B.*]

For what, then, is he to be immolated? Is it because he has been faithful to his principles, or not sufficiently submissive to party? Is it because his political morality is not sufficiently elastic, to enable him to turn a somersault at the word of command? Is it that he prefers the service and approbation of this good old Commonwealth, to all the rank and station which power can bestow, and will not "bend the pregnant hinges of the knee, that thrift may follow fawning"? Or is it that, like Aristides, he is to be ostracised for his very virtues? There are some, probably, who feel that the daily beauty and integrity of his life and conversation make them ugly, and who like the hump-backed tyrant, view him as a "spider in their path, and would have it crushed." He gloried in the proud character of a Virginian senator, conscious that he was honestly and truly discharging the responsible duties of his station, and he manfully scorned to make pledges calculated to destroy the moral force of his opposition to measures which he deemed revolutionary, disorganizing and demoralizing, and fraught with the most pernicious consequences to the prosperity of the country. We see those calling themselves Republicans, although they approve the Sub-Treasury, avowing their readiness to give him their support, if he would give assurances for future party

devotion to the administration—when the humiliating and almost disgusting spectacle is exhibited, of men who agree with him in condemning the Sub-Treasury as pernicious and who have been cheering him on in opposing it, yet demanding his expulsion from the senate with all the violence of "tone to hatred turned," only because he will not pledge himself to sustain the *future* acts of the administration, and promise in advance to "sink or swim" with Martin Van Buren; when we find the ultra-partisans of the Whig party requiring proofs of his party devotion to the interests of the opposition, as the condition of their support; when we see all these things, are we not fully justified in asserting that the great question, the vital principle, involved in this contest is, whether the Senate of the United States should be reduced to a mere instrument to accomplish the purposes and execute the will of the Executive of whatever party may be in the ascendant? He so regarded it. And so viewing it, the contest swelled immensely beyond a question of preference for William C. Rives for his superior talents and political orthodoxy; it became of infinitely more consequence than the defeat of the Sub-Treasury project, destructive as we believe that measure to be in a political, economical and financial view. It became a great question of political ethics, reaching to the foundations of the edifice of civil liberty. It involves the stability of the pillars on which our Republican institutions rest. Let it be once established as the recognised and cardinal canon of party fidelity, that no politician shall oppose the will of his partizan chief, or stubbornly refuse to accompany his opposition with professions of future support, and continued allegiance, without being shot for desertion, or branded with ignominy as an apostate, and it is obvious, that all political responsibility of the President is at an end, and every barrier to the possession of absolute power is thrown down. Representative independence and fidelity

to the people are converted into treason to the Executive, and although the externals of a Republican Government may, for awhile, be preserved, we shall have established in substance, an elective despotism in its worst form. The President, from being a servant of the people, and subject, through their organized agents, to constant control and restraint, will have become an irresponsible monarch. The Representatives of the State and of the people deserting the high function and duty of "eternal vigilance" upon his conduct, will be bound, at the hazard of being exposed to the most unsparing reprobation, as deserters and apostates, to become his apologists and flatterers, aiding and abetting him in each new encroachment upon the constitution or outrage upon the principles of free governments. As Republicans—as Freemen—as Virginians, we renounce and repudiate all such servility. As Representatives, we felt that we would have betrayed the trust confided to us, if we could have consented to aid in any act which would have sanctioned it.—[*See Note C.*]

Why should a Senator of Virginia be desired to give any opinion, or express any preference as to who ought to be elected President of the United States two years hence? What has he to do in his character of Senator with the election of President? Nothing—emphatically nothing. As an individual citizen he may give his own suffrage as every other citizen gives his, for that individual whose election, under all the circumstances, will be most likely to advance the prosperity of the country: no matter who is elected, the Senator, if he be honest and independent, will sustain the measures and recommendations of the President, so far as they are, in his judgment, consonant to the interests and honour of the country, and the principles of the State he represents.

The seductive influences and corrupting tendencies of an overgrown and constantly increasing Executive

patronage, are sufficiently potent in subduing the spirit and weakening the independence and fidelity of the representatives of the States and the people. Let us take care how we do anything to require them to manifest an obsequious and deferential submission to the Executive will, as the only passport to popular favour. We believe that, under the circumstances of the case, the refusal of Virginia to sustain Mr. Rives in his present position would go far, very far, to infuse such a spirit amongst the representatives of the people. The State of Virginia has ever exerted a powerful moral influence in the administration of the affairs of the general Government. It has ever been her boast that she adhered to certain great principles, and sustained her public men so long as they were faithful to those principles, no matter from what quarter they were assailed. The time has never been, when, in the patriotic and eloquent language of Mr. Rives, she did not expect her representatives to remember "*that they had a country to serve as well as a party to obey.*"

It was, we believe, from a conviction that the great Conservative principle of representative fidelity and independence was about being cloven down, and that a servile spirit of undeviating acquiescence in the opinions and wishes of party leaders, would be fostered, by permitting Mr. Rives to fall a victim to the furious and vindictive resentment of remorseless partisans, that induced many of the most influential of the Whig party in the Legislature to prefer his election to that of any man in the Commonwealth. It was the same persuasion, strengthened by the disclosures of the feeling of peculiar zeal and anxiety exhibited by the Sub-Treasury democrats, to defeat him, and even to prefer any one (Whig or Tory) to him, that finally reconciled almost the entire body of the Whig party to unite with us in endeavouring to re-elect Mr. Rives. With the course of the fragment of that party who refused to co-operate

with the rest of their brethren, and thus prevented his election, we have nothing to do. We shall not even impute to them the *responsibility* of defeating the election, however justified we might be by a portion of that squad who, with remarkable *modesty*, have made a similar charge against the Conservatives.

The support thus given by the Whig party to Mr. Rives, affords honourable testimony, that many of them were willing to forego a mere party triumph in the support of so important a principle as Senatorial independence. And why should we or Mr. Rives have any repugnance to such aid from the Whigs? For ourselves, we avow our willingness to derive support from any quarter, in checking the extravagant and pernicious measures of any party, in restraining its excesses, preventing the abuses which it may run into, and preserving the ancient and approved principles of the Republican party from being overwhelmed by the wild spirit of rash innovation, and the mad projects of radicalism and agrarianism.

Who are these Whigs, [*See Note B.*] that contaminate by their support and assistance? They are our fellow-citizens, comprising nearly one half of the population of the State, and embracing a full proportion of its virtue, intelligence and patriotism. It is true, that they, like their rival contemporaries, the Democrats, have in their ranks numbers of every variety of complexion, from the rankest nullifier, and Ultra State Rights men, down to the most uniform and consistent consolidationists. If every man were obstinately to refuse to support for public office only those who agreed with him in every opinion, it is obvious that no public man ever could be elected, and no popular Government ever could exist. We have already shown that there was a great political principal involved in the re-election of Mr. Rives, which appealed with irresistible force to those Whigs who

had been accustomed to denounce the Administration party for its proscriptive spirit and for the blind and submissive devotion it was charged with exacting from its members. Besides the issue really was between Mr. Rives and a Sub-Treasury democrat, and it is amazing how any Whig really sincere in his professions of opposition to the financial schemes of the Executive could hesitate to sustain the most zealous, the most able, and the most efficient opponent of that system. Indeed, we believe that there is but a moiety of the "forlorn hope" of fourteen, who are opposed to the Sub-Treasury *principle*.

The great body of the Whig party, therefore, as well as the Conservatives, had sufficient and manifest reasons of public duty, and obvious considerations of high political principle, to unite them in sustaining the election of Mr. Rives. We think every true patriot, every real republican, in fact as well as in name, had presented to him the most cogent reasons for doing so. The imputation, therefore, of a coalition between the Whigs and Conservative republicans, is as ridiculous as it is known to be false in fact. We wooed and courted no party. We made no stipulations. We entered into no arrangements or political combinations. We sought for no pledges of support, either from Sub-Treasury men or Whigs. We presented our candidate as he was, an independent, manly, devoted and able representative of the principles of the State, and then actually doing battle in their defence, with the chivalrous spirit and gallant bearing which became a Virginian senator. We called upon every Virginian, no matter what might be his party, or what had been his political associations, as he valued the ancient and proud character of his State—as he cherished the venerable usages of his ancestors—as he desired to preserve the institutions of the country from destructive innovation—as he wished to control and restrain

the encroachments of Executive supremacy over popular will—as he respected the Conservative principles of senatorial freedom and representative fidelity, to rally to the standard of our virtuous, eloquent and independent senator, Wm. C. Rives.

Many, very many, with noble and patriotic alacrity, responded to the call. It is, we verily believe, because the sentiments and feelings of the people of Virginia were not truly reflected in the Legislature, that there were not more who had ears to hear the call and voices to answer it.

To you fellow-citizens the appeal must now be made. We have too much abiding confidence in the steady adherence to principle, and the noble spirit of freedom which animates the people of the old Dominion, to have the least apprehension as to the manner in which the appeal will be answered. The recollection is too recent of the generous enthusiasm with which you came to the rescue, and restored to the councils of the country this distinguished citizen of genius, eloquence, and virtue you are so justly proud, to permit the least fear that you will abandon him. On that occasion, he was driven from your service because he was maintaining, as you thought, your principles, and faithfully representing your wishes. *Now*, the proofs are positive and irresistible that he is standing upon the ancient and approved principles of the Republicans of Virginia, guarding the public domain from profligate waste, endeavouring to rescue the Treasury from the control of the Executive, and place it under the dominion of the law. Detecting and exposing the first approaches towards a meretricious and illicit intercourse between the Administration and the Bank of the United States, and endeavouring to restrict Executive patronage, and prevent the corrupting tendencies of its improper exercise, and, in a word, fearlessly sustaining all those

measures and principles which, under the administration of Jefferson and Madison, constituted the cardinal doctrines of the Republican creed. Can you be expected to discard him from your service, to place in his stead some complaisant *supporter of the Administration*, who will perchance aid in fastening the odious Sub-Treasury upon the country, who will leave the public money in the hands of the subordinates of the Treasury, and will see millions of it lost in fraud and peculation, permitted by the gross and culpable neglect or incompetency of the heads of the Treasury and its bureaus, with calm composure and unruffled devotion to the Executive? Whatever may have been and still may be your predilictions for the Administration, your support is that which liberal and generous masters will extend to faithful servants.

You require of your Representatives a watchful supervision over the Executive Administration. And when it is demanded of you by the parasites and sycophants of the Executive, that you shall expel from your service one of your most faithful and vigilant sentinels, because he is not sufficently devoted to the President to comply with all his behests, your sentiment, and thrice condemned by the Representatives of the people. [*See Note E.*] He still persists in it, and it has been announced by his *official* organ, that he means to "sink or swim" with it, and been proclaimed by his *financial* organ in the House of Representatives, that this condemned and rejected measure must be submitted to in spite of lamentations in Congress or elsewhere. That this determination is entertained, is still more decisively proved by the fact, that everywhere those who will not abandon their opposition to this measure, no matter how clearly in accordance with the opinions of their constituents, are put under the ban of the party, and the most gross and offensive assaults made upon their sincerity and honour, and the whole power and

influence of the Executive exerted to withdraw the confidence of the people from them.

Recent developments shew, that the most offensive official delinquency and defalcation pervade the public departments, and there is too much reason to fear that this state of things has resulted from great neglect or incompetency in those branches of the public service. They furthermore prove, that there is great reason to apprehend that this condition of things has, in many instances, proceeded from an improper use of the power of removal and abuse of the Executive patronage for party ends: thus demonstrating the necessity for "that reform" which was promised and which is necessary to prevent the patronage of the President from being brought in conflict with the freedom of elections. All these things make us pause in the bestowal of our confidence in the Administration. We cannot pledge ourselves to sink or swim with Martin Van Buren. These clouds must be cleared away and these abuses reformed altogether. We are in this, Conservatives. We desire to preserve the purity and integrity of the Administration of the Government; and if our democratic friends require that we should make no complaint, demand no reform, relinquish all regard to our principles and to the safety of the country, or else be no longer of their party, we can part company with them, without any other regret, than that reply will be, "he has been faithful—he is our friend—the friend of the people—the friend of Republican principles—the champion of Representative freedom—and the President must look elsewhere, than in Virginia, for Senators to do his bidding—to sacrifice the interests of the people in compliance with his wishes, and thus contemn and disregard the known opinions of their constituents."

Fellow citizens, We constitute that portion of the Legislature of Virginia, who have been denominated conservative Republicans, and we desire the principles

of our public action to be distinctly understood. We were supporters of General Jackson's election, and in most of the leading questions of principle, policy, and party action, which occurred during his time, we sustained them and harmonized with the party. We sustained the election of Mr. Van Buren, because we confided in his professions of devotion to the supremacy of the popular will, and of his hostility to those latitudinous constructions of the constitution which the States Right Republican party, of Virginia, had ever condemned, and because, in general, he was pledged to "walk in the footsteps of his illustrious predecessor," in endeavouring to prevent the exercise of doubtful and unconstitutional powers by Congress, in limiting and diminishing Executive discretion in regard to the management and safe keeping of the public revenue, in "reforming those abuses which brought the patronage of the Executive in conflict with the freedom of elections," and maintaining the usages and principles of the Republican party. In so far as he does, or shall, answer these expectations, we will sustain him, but we are ready and determined to oppose him in all acts and measures in conflict with these expectations, as firmly and decidedly as if we had never voted for him. We have not been able to shut our eyes to the fact that he has departed from these promises much and widely. He has recommended again and again, a measure opposed and denounced by the whole Republican party in 1834 and 1835, as a departure from the practice of the Government from 1789 down, condemned by public, they, who have always professed to be acting on principle, should have surrendered themselves blindfold, and with passive submission, to approve everything, or at least to make no complaint, no matter what abuses may be disclosed, what corruption may be proved to exist, or what mischief may be perpetrated upon the institutions and liberties of the people. If the whole

creed of the democratic faith is reduced to the single article of a determination to sink or swim with the Executive, we no longer belong to the congregation.

Fellow citizens, We adhere to the ancient and venerable *principles*, as we continue to cherish the ancient patronymic appellation of the Rebublican party. We are Republicans. We need no new title or addition to designate our political character, though we have no objection to that of Conservatives, which has been reproachfully attached to us. Genuine conservative principles in this country are conservative of the established institutions and long cherished maxims of free Government. They are in perpetual conflict with the restless spirit of destructive innovation which seeks protection and sanction under the guise of some new and popular name, as Danton, Marat and Robespierre perpetrated their atrocious crimes and profanities in the sacred name of liberty and reason. Conservative principles here characterize those who are in favour of maintaining the rights of the States, a strict construction of the constitution of the Federal Government and of restricting and watching with an eye that never closes, the approaches of tyranny from the enlargement of Executive power and patronage. These are our principles. It is these that constitute us Republicans. It is not the name, but the conformity of our practice to our professions. Men may call themselves "Democratic Republicans," or "Democratic States Rights Republicans." They may be re-baptized by every new convention at the instance of every new convert, but if they continue to apologize for abuses, to justify usurpations, to approve every contempt of popular opinion exibited by the Executive, applaud to the very echo, measures subversive of the usages and principles of Jefferson and Madison, and of the Republican party of 1789 to the present day, and proclaim their determination to sink or swim with the

President, no matter what he has done or may do, they may add title to title, and addition to addition, until their party cognomen is as long as that of a Spanish hidalgo; and after all their real designation, their actual principles and political conduct will be comprehended in the single word, they are *subservatives*.

We will sink or swim with the principles of the Republican party of Virginia; we will sink or swim with the maintenance of the free principles handed down to us by our ancestors; we will sink or swim in the effort to preserve our representatives in congress from executive control and dictation, and will sustain them in manfully resisting the mandates of selfish, mercenary and unprincipled party leaders and scurrilous partizan editors.

These are the leading sentiments which have united us under the designation of Conservative Republicans, and we cannot but believe they are the sentiments of the great body of the enlightened, virtuous and patriotic people of Virginia.

This address was signed by *John T. Anderson*, of Botetourt; *Edmund Fontaine*, of Hanover; *Moses C. Good*, of Ohio Co.; *Joseph H. Sherrard*, of Frederick; *Oscar M. Crutchfield*, of Spottsylvania; *Thomas Shanks*, of Botetourt and Roanoke; *David Barnett*, of Montgomery; *Joseph W. Davis*, of Smyth; *William Shands*, of Prince George; *John O'Farrel*, of Morgan; *George Park*, of Hampshire; *Nathaniel E. Venable*, of Prince George; *Bar. G. Paine*, of Fluvanna; and *William Madison Peyton*, of Roanoke and Botetourt.

Note A.—Since this address was written, a striking illustration of the truth, of this remark has been furnished in the proceedings of a convention of friends of the Administration in the Frederick congressional

district which met for the purpose of nominating a candidate for congress. Mr. James M. Mason, the late member, a uniform State Rights Republican, and a gentleman of fine talents, had differed with the Administration on the Sub-Treasury question; preferring the special deposit plan, which was recommended by Mr. Van Buren, as his second choice. Mr. Mason, in a letter to one of his Constituents, and in an address to the people of his district, both recently published, distinctly avowed his preference for Mr. Van Buren over any of those who have been spoken of as likely to be his competitors for the next Presidency, and declared that, "whether in public or private life," Mr. Van Buren should have his support, "*earnestly and zealously given.*" But this, it seems, was not enough to propitiate the convention. Mr. Mason had disagreed in opinion with them on the Sub-Treasury question, and that disagreement could not be cured by pledges of *earnest* and *zealous* support of Mr. Van Buren. The objection was fatal, and Mr. Mason was put aside to make room for a *Sub-Treasury* democrat, who received the nomination. "Off with his head! So much for Buckingham!"

W. M. Peyton.

Note B.—The Editor of the Enquirer, * in his paper of August 18th, 1838, in the exposition of his financial views, reprints and re-asserts the opinions which he expressed in 1834, when the Sub-Treasury scheme was first broached, and when he charged Mr. Leigh with entertaining sentiments favourable to it. The immediate inducement to the expression referred to, was a passage in a letter written by Mr. Leigh in reply to one addressed by 26 citizens of Richmond. A short extract from his very lengthy strictures will be sufficient to show his opinions as the organ of the Republican party at that day, and to establish their

* The well known Thomas Ritchie

identity with the opinions maintained by Mr. Rives and the Conservatives at present.

"As to the letter of Mr. Leigh," he says, "it may satisfy his twenty-six friends; but it certainly does not satisfy us. The letter which they have called forth, should call forth in its turn, another letter to explain" the true meaning of that passage "which speaks" of divorcing all connection with banks, State or Federal. "Do you mean (they might say) that the public money is to be left in the hands of the Custom-house officers, *responsible* to the President and removable by him?—If so, is Mr. Leigh prepared to incur the irresistable objections urged by the globe—and to increase (in so alarming a degree) the patronage, power and influence of the Executive?"

Mr. Ritchie was a faithful exponent of the sentiments of the Republican party at that day, and it would seem that they were at least opposed to a divorce of the Government from the State Banks.

In his paper four days afterwards, August 22, in some remarks addressed to two of his correspondents, "*Attalus*" and "*Another Democrat,*" he says, they are not probably aware of the extent to which this discussion on the Sub-Treasury had been carried three years before, in 1834. "They may not recollect that their system of Sub-Treasuries was advocated by the Whigs three years ago, and that the Republicans then resisted the proposition. If then we advocate a heresy now, it was the heresy of the Republicans in 1834. If it be our thunder now, it was our thunder, and what is more important, *their* thunder *then*. * * * He, "*Attalus,*" forgets that at every era when a National Bank came into discussion, it was held not to be necessary, because the State Banks furnished a sufficient resource. Messrs. Madison, Jackson, and Stone suggested their use in 1791, Messrs. Burwell, Seybert, P. B. Porter and Wright of M., recommended them in 1811. They all concurred in the sentiment of Mr. Wright, that "the

State Banks are abundantly sufficient to supply every requisition, if the U. S. deposits are made in them." Not a word from any of these orators about an Independent Sub-Treasury system! The same ground was taken when the second U. S. Bank was put down; and when the debate came on upon the removal of the deposits, the same ground was taken by the Republican party, when, also, the substitute of the Sub-Treasuries was pressed by Mr. Gordon it received the vote of but one Republican member of the House of Representatives. * * * The Republican press of that day took up Mr. Leigh's speech and denounced the scheme of resorting to treasurers, appointed by the President, and removable at his will, and having the public money in their actual possession, "in their *pockets, desks, trunks, and vaults.*" They contended that the present system of deposits for the public money, regulated by law, as it will be, is as good for safety and the least liable to abuse by the Executive, of any which the wit of man can conceive; and declared "*that the power now exercised over the State Banks is only such as has been exercised by the Administrations of Washington, the Adamses, Jefferson, Madison and Monroe,* but if Congress can be induced to impose upon it new and wholesome restrictions, General Jackson will glory in it as another of the happy fruits of his harassed, but for himself and his country, most fortunate Administration." And yet, says Mr. Ritchie, we are to give up this system *now* without any imperious necessity, and fly to the system proposed by the Whigs, and opposed by the staunchest Republicans in 1834!

We will merely add, without comment, a few more extracts from the *Enquirer*, as we are anxious to derive the full benefit of its potential influence in this appeal to our Republican brethren.

From the "Enquirer."

September 8th, 1837.—How is it that the great masses of the two parties seem to be respectively shifting the grounds they occupied in '34 — the friends of the Administration violently assailed it — most of the Republicans, with the President at their head, are inclined to support it. A better soldier than ourselves then gave forth the most serious objections to the scheme.

The public moneys, from the time of their receipt to the time of their disbursement, amounting as they often do, to ten or twelve millions of dollars, must remain in the hands of individuals *appointed by the President and removable at his will!* They ought not to be kept in their pockets, chests or vaults, where they can approach it every day and use it, without the checks of warrants drawn, countersigned, registered and recorded, and passing through many hands, without which (that is their warrants) not a dollar can now be touched by any public officer, not even the President himself."

We have no desire to see such accumulation of power in the hands of the Executive—no wish to put the money directly into the palms of his friends and partizans. We wish to see the power and patronage of the Executive increased as little as possible—the powers of the Federal government not enlarged—the purse and sword not more strongly united, than they are in the hands of the President, and as few means of corruption as possible trusted in his possession.

From the same.

September 15th, 1837.—He designates it as "a wild and dangerous scheme" establishing two sorts of currency—the better for the officers of the government, the baser one for the people.

October 20th, 1837.—He says the Sub-Treasury will enlarge the Executive power, already too great for a Republic. In the same paper, speaking of the special deposit, he says, "such is the compromise we beg leave to submit to all the friends of a limited Executive and a guarded exchequer."

January 20th, 1838.—Speaking of the change made in the bill from extra session to the session in December, and of the rapid growth of Executive patronage, which would follow the adoption of the measure, he says: "It has already expanded from collectors to receivers and who shall say that it shall not expand from four receivers to 20 or 50. In fact who shall stop the augmentation of tax receivers under the Administration of some future ambitious President? The bill increases the Executive patronage by the appointment of Receivers Generals, Bank Commissionaries, and places the public funds more immediately under the control of officers appointed by and removable by the President."

In another editorial of the 12th September, (date omitted,) alluding to the premium the merchant must pay to obtain specie for his duty bonds, he says: "who pays all these expenses? The people—for, let the merchants, for instance, pay their bonds in specie, they will ultimately receive it in the advances on their goods. A tax, then, to all intents and purposes, is laid on the people at large, to the amount of the premium on specie, and it goes into the pockets of every man who feeds from the public crib."

Note C.—On the 4th of May, 1830, a select committee, raised at the instance of Hon. Thomas H. Benton, on the subject of Executive patronage, of which he was chairman, and Mr. Van Buren with other distinguished gentlemen of the Jackson party, were members, reported their views at length to the senate of the United States. They represented, with a pencil of

light, the inherent tendency of patronage to increase—its insiduous approaches—its almost seductive and resistless influences, and its overpowering energy, when it has once acquired the ascendant. We must look forward, say they, to the time (that period is now arrived) when the public revenue will be doubled; when the civil and military officers of the Federal Government will be quadrupled; when the influence over individuals will be multiplied to an indefinite extent; when the nomination by the President can carry any man through the senate, and his *recommendation carry any measure through the two Houses of Congress*; when the principle of public action will be open and avowed, *the President wants my vote* and *I want his patronage*. I will vote as he wishes and he will give me the office I wish for. What will this be but the government of one man? And what is the government of one man but a monarchy? Names are nothing. The nature of a thing is in its substance, and the name soon accommodates itself to the substance. The first Roman Emperor was styled "Emperor of the Republic," and the last French Emperor took the same title, and their respective countries were just as essentially monarchical before as after the assumption of them. It cannot be denied or dissembled, that the Federal Government gravitates to the same point, and that the election of the executive by the Legislature quickens the impulsion. "Those who make the President, must support him. Their political fate becomes identified, and they must stand or fall together. Right or wrong they must support him."

What would the authors of these truly patriotic and Republican sentiments have thought of that political servility which openly and unblushingly inculcates a "sink or swim" policy? How would these slavish doctrines square with their Republicanism, as laid down in this report? If Colonel Benton and Mr. Van Buren were sincere and honest in this solemn expression of

their sentiments, they would be compelled by their principles, to repudiate, with as much scorn and indignation as any Conservative, this degrading oath of fealty to a party chief, this unscrupulous endorsement in advance of opinions and conduct which cannot be foreseen or anticipated, this odious and unmanly submission to the capricious and despotic exactions of party. If sincere, their patriotic apprehensions for the perpetuity of our institutions would have been greatly excited and they would have made the very walls of the capitol tremble with the thunder of their denunciations. They would have told us that the prophecy and its fulfilment were contemporaneous; that our Government was a monarchy *now*. Is there nothing at this day to make us fear that our Government gravitates to monarchy? If the recommendations of the President can carry this Sub-Treasury measure through the two Houses of Congress, stamped as it has been by the reprobation of almost all men of all parties, throughout our extensive dominion, and receiving especially the almost unanimous reprobation of that party now advocating it, what cannot the President do, under this vassal doctrine of blind and indiscriminate support?

Note D.—When Mr. Roane was elected to the U. States senate, the vote in the House of Delegates, so far as the Whig party was concerned, was *for* Roane 24, against him and for Judge Daniel 16, with some few scattering. In the senate, for Roane 5 Whigs, against him 2. So that he received the votes of 29, and his competitor those of 18 only. Without the Whigs, Mr. Roane would not, and could not, possibly have been elected. [*Note to Mr. Pendleton's speech*].

At the dinner which was given to Mr. Rives in the City of Richmond, after the close of the session of Congress, and very shortly after the election of Mr.

Roane, Mr. Rives in responding to a complimentary toast, took occasion to vindicate the principles of that currency bill, which is now so much the subject of obloquy among those very gentlemen who, at the time, were paying the homage of heart-felt gratitude for his distinguished services, and lavishing the most extravagant encomiums upon his republican virtues. Not a discordant note in this numerous assemblage, disturbed the harmonious greeting and joyous gratulations which animated them. It also becomes worthy of remark on this occasion, as Mr. Rives is assailed and condemned by many of Mr. Roane's political friends for not repudiating the aid of the Whigs in the late senatorial election, that Mr. Roane, who, it seems, was obnoxious, in the estimation of some, to a similar objection, in the course of a speech which he made at the same dinner, with a correctness of judgment and feeling, alike creditable to his head and his heart, repelled this new idea of contamination in Whig support. Among many other just and forcible remarks, he said, "Let us never forget that our adversaries are 'bone of our bone and flesh of our flesh,' that they are our friends, our neighbours and our countrymen." To those who press this objection to Mr. Rives, we would commend the old adage, "ye who live in glass houses should not *throw stones at your neighbours' windows.*

Note E.—The official organ of General Jackson (the Globe) in 1835, shortly after the Sub-Treasury scheme was broached, and when it was alone countenanced by a few ultra whigs, assailed it in the most violent terms, as a measure fraught with mischief, and threatening our liberties. It asserted "that it would enlarge Executive power by putting in its hands the means of corruption." "That it would transfer the money directly into the palms of Executive agents, the friends and partizans of the President, instead of its being kept on deposit in

banks, whence it could not be drawn for other than public purposes, without certain detection, and thus exposing it to be plundered by a *hundred* hands, where *one* cannot *now* reach it. "*Sed tempora mutantur et nos mutamur in illis.*"

> "Men change with fortune, manners change with climes,
> Tenets with books, and principles with times."

W. M. Peyton.

On the reassembling of the Legislature, Mr. Rives was elected and took his seat in Congress. On the 14th of the following January, he delivered his able speech on the Fiscal arrangements of the Government with the United States Bank, and reviewing the annual report of the Secretary of the Treasury.

CHAPTER VII.

YIELDING to numerous and urgent importunities, Colonel Peyton consented to become a candidate, the following Spring of 1838, for the House of Delegates for Roanoke and Botetourt, and was elected without opposition. At this time he did not seek for, nor despise, honours. Shortly after the meeting of the Legislature, the subject of internal improvements came up for consideration. On all sides the question excited the liveliest interest. The delegates for Eastern Virginia were as hostile as formerly to a general tax for what they sophistically termed local improvements, and under the leadership of Messrs. Yerby, Edmunds, Venable, and others, marshalled their forces in a solid phalanx. On the other hand the western delegates were equally determined to carry their point, and were led by the young and eloquent delegates for Roanoke and Botetourt, Augusta, Montgomery, and Kenawah,—Peyton, A. H. H. Stuart, W. B. Preston, and George W. Summers.

To understand this question it should be remarked,

that the Virginia of 1838 extended from the Atlantic to the Ohio, a length af 425 miles, and north and south from Pennsylvania to North Carolina and Tennessee, a distance of about 210 miles. Its area was 61,352 square miles, being considerably more than that of England. With the exception of Pennsylvania, Virginia was the only State which extended across the great Appalachian chain. The State was traversed from north to south by several other well-defined mountain ranges, among them the Blue-ridge and the North mountain, which is an extension of the Kittatinny mountain of Pennsylvania. These mountains are pierced by numerous rivers, some flowing east to the Atlantic and others west, emptying into the Ohio and Gulf of Mexico. The principal rivers which rise in the great valley between the Blue-ridge and Alleghanies, and find their way to the Atlantic, are the Potomac, the James, and the Staunton; and those which rise east of the Blue-ridge and run in the same general direction, are the Rappahannock, which is navigable 110 miles above its mouth in the Chesapeake bay to Fredericksburg—the York river, formed by the confluence of the Mattapony and Pamunkey, each a hundred miles long, and is navigable about forty miles from its mouth—the Blackwater, Nottoway, and Meherrin, which, like the Staunton, find their way to the ocean through North Carolina. The principal rivers flowing west, and emptying ultimately into the gulf of Mexico, are the Ohio, the great Kenawha, which rises in the valley between the Blue ridge and Alleghanies, the Monongehela, the

Guyandot, the little Kenawha, and the Big-Sandy. From this brief description of the direction of the waters, it is seen that the State rises from the Atlantic to the mountains, and there slopes down to the Ohio. Divided into four natural parts, it was also formed into four political divisions. The first of these was the *Tide-water* district, lying east of the lower falls of the rivers, and consisting for the most part of a flat country nowhere more than sixty feet above the sea. Further west is the *Piedmont* district, extending as far as the Blue-ridge. This is more elevated and diversified in its surface than the former, as it is traversed by a range of hills parallel to the Blue-ridge, and about 30 miles from it. The *Valley* district extends from the Blue-ridge to the most westernly ridge of the Alleghany mountains; and is occupied by various chains of these mountains, and the fertile vallies that lie among them. The extreme west of the State is occupied by the *Trans-Alleghany* district, which slopes westward and is occupied by various branches and offsets of the mountains. In a country of such extent, and with such physical peculiarities and divisions, it is not surprising that different and antagonistic local interests arose. Nature supplied with noble rivers that portion of the State comprised in the *Tide-water* district, and lying upon the Atlantic and the Chesapeak bay, which is sometimes styled the American Mediterranean. By these the inhabitants enjoyed every facility for sending to the markets of the world the products of their lands. The soil, too, of this district is light and sandy, and after

rain soon becomes firm and dry, hence little labour or money is required to keep the roads in repair. The people of eastern Virginia therefore asked nothing on the score of improvements, nor did they wish to contribute from the common treasury towards the improvement of less favoured districts. In support of this ungenerous and illiberal policy they adduced a variety of arguments, some of them not without considerable plausibility, but all really unsound. The western people, who lived above the falls of the rivers, where the streams were too small for navigation, and where the soil is clayey and the roads in winter impassible, asked, as their means were unequal to the expense, that the State should undertake to lock and dam the principal rivers, cut canals where required, and construct leading roads which were necessary for the development of the country and for its defence. They argued that the increase in population, the augmentation in the wealth, the multiplication in the subjects of taxation which would result from such a system of improvement, would redound in the end to the prosperity of the whole State, thus benefitting the *Tide-water* population. Thus was the issue made up by the two parties, and on this question delegates were elected from all parts of the State.

In this particular House of Delegates the party of the west was led, as previously mentioned, by (with others) the subject of this biography; and on the 15th and 16th days of February, 1839, he delivered the following speech of great force and eloquence in the

General Assembly on behalf of a general scheme of State improvement.

SUBSTANCE OF THE REMARKS

OF

COLONEL WILLIAM MADISON PEYTON,

(OF BOTETOURT),

IN SUPPORT OF THE REPORT AND RESOLUTIONS RECOMMENDING A SCHEME OF INTERNAL IMPROVEMENT; *

IN THE

HOUSE OF DELEGATES OF VIRGINIA, FEBRUARY 15, 1838.

The Internal Improvement Report being called up,

Colonel PEYTON remarked, That the late hour at which the Report of the Committee on Roads and Internal Navigation had been called up, together with the protracted discussion which it had already excited, made it proper he should inform the House that he did not expect to trespass long upon their patience. That he would endeavour to avoid detail and unnecessary digression, as much as possible, and confine himself strictly to the great leading principles which were involved. He assured the House that he would not wander into the regions of imagination, in quest of the roses and garlands of fancy, to embellish his sentiments. He would neither stoop on the one side to cull a flower, nor on the other to collect a gem; but would proceed directly to the development of his views as succinctly as the nature of the subject would allow.

* This speech was published in Richmond, in 1838, by Shepperd and Colins.

Colonel Peyton said he did not participate in the surprise of the friends of the Report at the violent opposition which it had encountered. He thought it was to have been expected, however strong might have been the evidences in favour of its adoption. In a numerous body like this, representing a territory so extensive, and embracing interests so varied, he said it was to be expected that local considerations would influence the course of some gentlemen, while others, operated upon by an over-timid and over-cautious policy, would be found arrayed against it, solely on the ground of its novelty and apparent magnitude; and some few, perhaps, might find an excuse for their hostility in the extraordinary reason assigned by the gentleman from Prince Edward (Mr. Venable) a few days since: that the adoption of the proposed scheme would defeat the improvement of the State. But, said Colonel Peyton, notwithstanding the combination of all these adverse impulses, I believe there is an enlightened spirit awakened in the land, which cannot be repressed or fettered, but which, bursting through all the barriers of ignorance, is rapidly diffusing its regenerating influences and giving a healthy tone to public opinion. The ball, said Colonel Peyton, is in motion, receiving its impetus from the lofty summits of our mountains. He trusted it had already gathered sufficient velocity and power to overcome and defy all opposition. He said that the difficulties which beset the friends of improvement at the threshhold of their innovation upon the established policy, of the State, ought not to dishearten them—that it was not reasonable to expect so radical and important a change of State policy would be aquiesced in without a severe struggle; and that the history of all our sister States, which have adopted an enlightened and liberal system of internal improvement, exhibits a perfect identity in all the circumstances

attending its introduction. And *here*, said Colonel Peyton, we find the same arguments relied upon by gentlemen, which were urged upon the legislature of New York, when it was proposed to construct the Erie and Hudson Canal on State account. And notwithstanding the obvious necessity and utility of that great work, and notwithstanding it was recommended and advocated by one of her most distinguished sons, by one upon whom nature had profusely scattered the rays of genius and the inspiration of intellect, by the *then* reputed theorist, but *now* revered sage, De Witt Clinton. I repeat, said Colonel Peyton, that notwithstanding it was brought forward under the auspices of this gifted individual, and sustained with all his zeal, and all his ability, and all his influence, it was with the utmost difficulty pressed through the legislature. And when its adoption was promulgated through the country, it produced an excitement so violent and uncompromising in its character, as to threaten with political ostracism all those who had taken a prominent part in its support. In the commotion, said Colonel Peyton, the dregs all floated to the surface. Whip syllabub lawyers and artful demagogues sprung up like mushrooms in every quarter of the State, and called upon the "*dear people*" to hold fast their purse strings. They represented the legislature, said Colonel Peyton, as adopting some monstrous Briarean scheme, which would stretch forth its hundred arms and plunge its hundred hands into the breeches pockets of the people, and plunder them of the hard earnings of their daily labour, to make, in the cant phrase of these most *special friends* of the "*dear people*," "the rich richer, and the poor poorer." The psuedo political economists, too, said Colonel Peyton, of whom there is always an over supply in every community, and especially in every political association, fortified in their own estimation by some absurd and incongruous

dogmas of a science, the true principles of which lay greatly beyond the reach of their intellectual visions, urged that the State, possessing no funds, having no hoard, nor any certain or ascertained, or even conjectural resources, other than those anticipated from the projected works, had no right to construct a work at the expense of the whole community, which was partial in its benefits. That it was oppressing and desolating one portion of the State to confer blessings upon another. To these pseudo political economists, there came, said Colonel Peyton, as auxiliaries in this war against liberal legislation, the pseudo philanthropists, a class who, more anxious for the welfare of the the "unborn millions" who are to follow them, than for the generation to which they themselves belong, insisted that we had no right to transmit these debts, incurred for public works, to posterity, as it was imposing a burthen upon them in which they had no voice or agency, and over which they could not by possibility have exercised any control. And I have no doubt, said Colonel Peyton, that these philanthropic worthies, in their learned dissertations at the corners of the village streets, and at the cross roads and grog-shops of the country, gravely argued that it was a gross violation of the great fundamental principles of our Government, that it was neither more nor less than taxation without representation. Such, he said, were a specimen, of the miserable *batch*, or, said he, to borrow from high authority a more appropriate expression, the miserable rabble of objections which were urged against the enlightened policy of the empire State. Such, said Colonel Peyton, were the obstacles that were thrown in the way of the steady, conestoga, onward march of the miscalled Bœotia of this confederacy, in a system which is every day illustrating the energy and wisdom and patriotism of its legislation by the solid wealth and substantial

blessings which it is conferring upon its citizens. And such, I need not tell you, Mr. Speaker, after what you have heard on this floor, are the cogent arguments, the mighty missiles with which we are assailed, and which renders it necessary that the friends of internal improvement should put on their armour and invoke the Protecting Egis of Minerva. Survey, said Colonel Peyton, the whole ground which has been occupied by the opponents of our scheme, and analyze what they have said, and you will find it all at last resolved into some one of the objections which I have enumerated, or into something which bears a strong family likeness to them. And, said Colonel Peyton, I must say, they are only dignified on the present occasion, by their very respectable endorsement, and the talents which they have enlisted in their support.

The talented representatives from Prince Edward and Halifax predicated the greater portion of their arguments upon the assumption, that the State was, from its poverty, unable to construct the improvements recommended in the report. The financial estimate presented by the gentlemen from Augusta, a few days since, in his exposition of the views of the committee, Colonel Peyton thought entirely conclusive upon this point, and he had heard nothing as yet, in the slightest degree calculated to weaken his confidence in it. The objection to the calculation, in the estimation of Colonel Peyton, was, that it yielded too much to his opponents, and did greater injustice to the financial resources of the Commonwealth. But, said Colonel Peyton, notwithstanding this estimate, which proves beyond doubt the entire ability of the State to accomplish the improvements proposed without abstracting one cent from the pockets of the community, we are told by the intelligent gentleman from Halifax, that they will create a national debt, which will result in national bankruptcy. This idea, monstrous,

illusory, and unfounded as it is, in the face, too, of the most irrefragable testimony of figures which cannot lie, is reiterated and echoed by the opponents of this measure from every part of the hall, as though it was a species of axiom. That the estimate is based on facts, purely legitimate, and that its foundations are firmly fixed in truth, the abortive efforts of our opponents to impugn and destroy them, afford the highest evidence. That all the antagonist items which are entitled to be considered as offsets or charges upon the internal improvement fund, are fairly and properly stated, is not denied; but it is pretended that the estimate of the profits upon the works in process of execution, and upon those contemplated, is extravagant. Gentlemen, said Colonel Peyton, wiser and more experienced than our engineers, who are generally presumed to be the best acquainted with these matters, and wiser and more astute than that numerous and intelligent class of the community who have vested their money in many of these schemes, after a close scrutiny into the chances of reimbursement, have come to the conclusion, that they are all visionary speculations, and doomed to disappoint and ruin those who engage in them. It is true, said Colonel Peyton, as has been said by the anti-improvement gentlemen, that considerable reliance is placed upon the anticipated profits from the James River improvement. And this estimate being conjectural, he knew of no better mode of approximating the truth, than by consulting those who have embarked their fortunes in it, and whose interests have led them to examine it narrowly. The testimony of all these, he said, would more than sustain the humble estimate. If, said Colonel Peyton, the matured wisdom of a Marshall in the east, and the cool, calculating, practical good sense of a Breckenridge in the west, and the combined intelligence of the most enlightened portions of the State, after a long, and anxious, and

thorough investigation of the utility and productiveness of this work, could cheerfully embark all their available means in it, and appeal, in all the sincerity of a burning patriotism to their fellow-citizens to unite in its construction, I think we may safely rest with this assembly the very humble estimate which we have placed upon its productiveness, upon this authority, in opposition to the round and unsustained assertions of the gentlemen from Prince Edward and Halifax. Colonel Peyton said, that he should therefore claim with confidence that the calculation of the profits from this work, which had been used in the financial estimate, and which was confessedly so far below the estimates of persons so eminently qualified, should be received, until some stronger argument than the empty denunciations of an enemy, or the bold assertions of inexperience were offered.

Colonel Peyton said, that the only other conjectural source of revenue relied upon, is the contemplated improvements, and these but for a very limited amount and for a short period. He said, that the gentleman from Halifax, in combating this source of revenue, instead of dissecting, and sifting, and exposing the extravagance of the very moderate and guarded estimate which we presented, launched forth into a denunciatory attack upon the report of the principal engineer, in which the estimates were more than ten times higher than we claimed; and having in the blindness of his zeal imagined that he had utterly demolished the engineer's report, he very gravely and most logically concluded, that our estimate, by consequence, shared the same fate. He said, that feeling disposed to admit a paralogism so palpable, he felt authorized, by the failure of the gentleman, to object specifically to the dividend claimed by the friends of the report, in construing it into an admission of its correctness. But this, he said, was unnecessary. To

those, said Colonel Peyton, who are familiar with the trade and travel of that section of the State, which will be accommodated by the South-western road, and with the powerful auxiliaries which it will receive when extended to Knoxville, not only the extreme moderation of our estimate will be manifest, but the much derided and apparently extravagant calculation of our chief engineer will be found, upon examination, to be entirely within the bounds of probability. Fortunately, said Colonel Peyton, we were not driven upon the fanciful speculations of its ardent friends for the maintenance of our opinions. In the year 1831, a convention was held in the town of Abingdon, composed of delegates from the city of Richmond, and all the intermediate country to Knoxville, in Tennessee, who, after carefully collating all the facts necessary in enabling them to determine whether the tonnage and travel of this route would justify the expense of a railroad, decided most confidently in its favour. From the report of their proceedings it appeared that even then the .tonnage transported by waggons amounted to 7,297 imports, and 60,352 exports, making an aggregate of 67,649 tons; calculating the imports at 6 cents per mile, and the exports at 3 cents, it gave nearly five hundred thousand dollars. They then deducted one-third from this amount to cover the error in the calculation from some of the exports and a large portion of the imports being distributed along the line, instead of being carried the whole way through. This left for imports 64,798 dols., for exports 267,963 dols., making an aggregate of 332,761 dols., which, taking the cost of the railroad from New River to Knoxville at 3,108,000 dols., would produce a dividend of upwards of 10 per cent on the cost of that part of the road from New River to Knoxville, or nearly $7\frac{1}{2}$ per cent. on 4,408,000 dols., the total cost of constructing a railroad from Lynchbury to Knoxville. In this calculation,

the tolls accruing upon that portion of the line between New River and Lynchburg, and which would unquestionably be the most productive, are excluded. Nevertheless the convention had no hesitation in saying, upon the very meagre information which they possessed, that this section would yield at least 10 per cent. to the stockholders in the then condition of the trade of the country. And this, too, it will be observed, without relying upon the profit to be derived from the transportation of passengers, which of itself, I have no doubt, is justly considered by our chief engineer as the most valuable source of revenue. Colonel Peyton said, that in addition to the facts elicited by this convention, there was a most important one derived from the register kept at Inglis's ferry, on New River, in the year 1836. From this, it appeared that between thirty-four and thirty-five thousand travellers crossed at that single point during the year. These, said Colonel Peyton, together with those who crossed at the numerous fords and ferries above and below, would probably swell the estimate to between 40 and 50,000. This travel at the ordinary charge of six cents per mile, would give an income of 576,000 dols., or between 18 and 20 per cent. on the whole cost of construction. Thus showing the ability of this improvement to sustain itself by a moderate toll upon the travel, and consequently, removing the necessity of heavy imports upon the agricultural and mineral products of the country.

But, said Colonel Peyton, when you recollect that the moment you construct this work, and thus remove the *mountain* barriers which separate this country from market, you at once awaken the industry and stimulate the energies of its inhabitants, and that you develop the varied and inexhaustible mineral and agricultural resources of one of the fairest and most salubrious

portions of the State — a region where lead, salt, gypsum, coal, iron, and an exhuberant fertility of soil have been lavished with almost prodigal profusion. It is impossible, said he, to conceive the width and depth of the stream enriched from all these prolific sources, which will pour its golden flood upon our commercial marts, exciting their enterprize, and re-invigorating their languishing commerce. Not only this, said Col. Peyton, but when the work shall have been extended to Knoxville, a short distance beyond our South-Western border, it will constitute the *focus* of improvements, radiating to the Atlantic on the one side, the Ohio on the other, and the Gulf of Mexico on the third—embracing within its influence two-thirds of the confederacy, and drawing within its vortex, by the sure attraction of its being the nearest, most natural, and direct route to the east, the largest commerce ever enjoyed by a railroad, and an amount of travel beyond the anticipations of the most sanguine and credulous. But, said Colonel Peyton, I will not fatigue myself, or waste the time of the House in proving the value and productiveness of a work against which not a single plausible argument has been offered. The ingenious gentleman from Halifax, himself finding that a closer scrutiny into our estimate of the profits from the James River and Kenawha improvements and the South-western road, was more likely to prejudice than to promote his cause, seemed to yield the point, and shaking the dust of the old Dominion from his feet, he embarked upon the railroads and canals of the great States of Pennsylvania and New York, in quest of facts to support his theory. There, said Colonel Peyton, entrenching himself behind a rampart of reports and imposing arithmetical calculations, he seemed to defy and almost deride his opponents. Let us, said Colonel Peyton, examine him in his new position, and see whether it will not yield to the first

assault. To say nothing at present, said Colonel Peyton, of the numerous errors of fact and inference in which the gentleman involved himself at every step, there was one prominent and striking and radical defeat in his whole argument, and that was, said Colonel Peyton, his neglect of the ameliorating influences of these improvements upon the comfort and happiness and pecuniary circumstances of the inhabitants of the States penetrated by them. He seemed, said Colonel Peyton, to lose sight altogether of the immense enhancements of individual property which resulted from them, and the consequent increase of the stream of taxes which would be annually pouring its golden treasures with a continually increasing volume into the public coffers. Not only this, but he seemed to be blind—yes, stone blind—to the incalculable addition to the aggregate of national wealth from the development of the rich mineral treasures locked up in inaccessible mountains, and which, without these improvements, were utterly valueless. He seemed to forget, too, the extensive manufactories which would grow out of the working of these mines and cluster around every waterfall in their neighbourhood. He overlooked, too, the immense augmentation of agricultural products which the stimulus of a ready market would create. And still more, said Colonel Peyton, he excluded from view the increase of population resulting from the combination of all these other blessings — an increase only limited by our mines of coal and iron, which are said to be boundless and inexhaustible. Great, manifold, and important, said Colonel Peyton, as are these, the legitimate offspring of a judicious system of internal improvement, embracing as they do all the important elements and essentials which constitute a prosperous and happy people, under the benign influence of free institutions, and which in my opinion ought to be cherished as a blessing, even

if it was coupled with a system of direct taxation for the reimbursement of the debt incurred in producing it. Great, manifold and important, repeated Colonel Peyton, as were all these beneficial results from an improvement of the means of inter-communication, the gentleman never once adverted to them, but confined himself to a cold stock-jobbing calculation of the dividends accruing from the various works finished and contemplated. Is this, said Colonel Peyton, the view of a Statesman? Is it the voice of patriotism? Or is it the barking of a treasury watch-dog, a Cerberus chained at the mouth of the vaults, and with brute instinct denying access to all persons indiscriminately, without respect to the character of the claim or the applicant. Is it possible, said Colonel Peyton, that a policy so narrow and so contracted, so miserably parsimonious and so obviously suicidal, is to be countenanced and sustained by the representatives of a generous and magnanimous people. But said Colonel Peyton, my feelings have hurried me into a digression from the point in my argument to which I had arrived, and upon which I wish to bring the attention of the house to bear for a few moments.

I was about to admit, for the sake of argument, and for the purpose of exhibiting in a still stronger point of view, the indefensible character of the position assumed by the gentleman from Halifax, that all the ameliorating influences of these improvements upon society—the increase of population—the augmentation of agricultural products—the development of mineral treasures—the creation of manufactories and the increase of the public revenue—that all these should be discarded from consideration, and that we should view it simply as a money-making, stock-jobbing scheme on the part of the State. Even, said Colonel Peyton, in this narrow and contracted and unstatesmanlike point of view, if the lessons of experience are suffered to shed

their broad and full light upon the question, there will be no difficulty in maintaining before this Assembly the policy of the system. I am willing, he said, to narrow the ground on which we stand, for the present, still more, by permitting its correctness to be tested by the Pennsylvania system, which has been so frequently referred to and so confidently relied upon by the opponents of improvement, as affording the strongest testimony in their favour. I am fully aware, said the Colonel, that I place myself in the most disadvantageous position in relinquishing the mass of testimony which the triumphant success of the State system in other parts of the Union affords, and submitting the question to a test, selected by our enemies, and which wants the analogy which is necessary to give weight to the deductions against us. Those who are acquainted with the history of internal improvements in the State of Pennsylvania, know that it was commenced under every disadvantage, at a time when the construction of canals and railways were not well understood in this country, and when, from the want of that skill, and experience, and knowledge which she now possesses, she expended at least one-fourth, or six millions more, according to the estimates of her most practical men, than would be necessary to do the same work now. There is another circumstance, said Col. Peyton, which weakens the parallel. An inspection of the map will satisfy every one acquainted with the geography of the United States, that in point of natural advantages, she cannot compare with us. By position, she commands the commerce of no State but her own, whilst Virginia, from the nature of the Carolina coast, is the natural market of Carolina products, and from her position, possesses advantages over Pennsylvania, in a competition for the Ohio trade, and superadded to this, the rich products of East

Tennessee and North Alabama flow as certainly to her ports as she provides an outlet for them. But, notwithstanding all this, he hoped he would be able to satisfy the House in a few words, that the system of Pennsylvania, prompt, bold, expanded, and in one sense, extravagant as it had been, so far from presenting a picture to discourage and dishearten the friends of improvement, offered every inducement and stimulus to increased exertion. In looking into the Pennsylvania system to ascertain whether the funds she has invested in public works have been squandered or judiciously expended, it certainly affords no evidence against them to find, that upon an expenditure of nearly 25,000,000 dols., they received during the past year of paralysis and commercial pressure, only 975,350,49 dols. The general plan is not yet carried out, many important links are unfinished, which, when completed, will swell the tonnage immensely. The energy, and industry, and enterprize of the community has scarcely had time to get under way. The mineral and agricultural resources are just developing themselves; so that the present tolls, handsome as they are, scarcely afford an earnest of what they will be, when the system is complete, and has had sufficient time to work out its great results. Equally unsatisfactory is any argument drawn from the statistics of detached works. There are so many circumstances connected with them, special and peculiar in their character, and of which we are ignorant, that no general arrangement can be drawn from them upon this point, entitled to the slightest consideration. Instead, therefore, of suffering ourselves to be carried away by the bold assertions of gentlemen or specious deductions from particular improvements, and sections of improvements, of which we know nothing, or the *jaundiced* calculations of the profits of a system which is imperfect and unfinished, I would refer you to the testimony of the citizens of Pennsyl-

vania themselves—to the report of the canal commissioners, who are entrusted with the control and management of the public works, and who are familiar with the influences, favourable and unfavourable, which operate upon them — to the message of the governor, who exercises a supervisory care over the whole State, and who derives his information from the best sources. Do you find their opinions of the value and productiveness of the public works according with those deduced by the gentlemen from Prince Edward and Halifax, from their *selected* statistics? Do you find them deploring the system as one leading to national bankruptcy? No they are proud of it, and cherish it as a never-failing source of the richest blessings; as the broad basis of individual wealth and national grandeur; as the key-stone which crowns their political edifice, giving strength and durability and finish to the structure. Colonel Peyton said, in the report of the canal commissioners for the year 1837, they say, "one aspect of the operations of the year must, however, prove cheering to every Pennsylvanian. While the revenue derived from similar great State improvements, all around us, has materially fallen short of last year, ours has advanced in a ratio corresponding with that of former years. If we can thus maintain our career in the midst of such untoward circumstances, what mind can estimate the effects that will be produced by the return of a more healthy policy. If, in connexion with this view of the subject, the competition of the improvements now in progress, and which will effectually bring into use the immense mineral productions of the Lykens valley, Shamokin, Mahamy, Wyoming, and the bituminous coal and iron fields of the west branch and Juniata, be also contemplated, the result is incalculable. But little now passes on the canals of the Susquehanna, its branches and the Juniata. When,

however, *the improvements in progress to complete the original design of these works begin to unfold their destined utility*, the addition to the already increasing revenue *derived from those sources, will be immense.* As evidence of this, it is only necessary to notice the rich return which the mining operations in the Schuylkill coal fields impart to the Schuylkill Navigation Company's works. This improvement is only 108 miles in length, and has produced tolls the present season, amounting to 560,141,50 dols., up to the 13th of November.

In another part of the same report, after urging the legislature to apply the whole resources of the State to the completion of the system as rapidly as possible, they remark "In relation to the ultimate success and prosperity of the public works, the board have expressed a decided opinion. The revenue derived from public works is already beginning to have a decided effect upon the fiscal operations of the Government, and will hereafter be the main reliance of the State. What amount of revenue will be derived from the public works the present fiscal year, it is difficult under existing circumstances, to determine. But the board feel warranted in giving the assurance, that even if the present pressure continues, it cannot fall short of 1,200,000 dols. As a proof that the above is not an over estimate, and that the whole system when perfected will remunerate the State for her outlay, and reward the patience of her citizens, it may be etc. etc., (instancing the most important improvements and the revenue derived from them.) In the close of this review of the general improvements, they say: "*There is, therefore, no doubt, but that when the now unproductive branches are completed, and sustain themselves, as they assuredly will, the whole system will not only support itself, but pay a handsome revenue to the State.*"

The governor, in his last message, says, "The

system of internal improvement has heretofore been the chief draft upon the Treasury. *It is now about becoming its main reliance.*" * * * * "The revenue from the public works fell 324,649,51 dols. short, during the past year, of the estimate of the canal commissioners. Its actual amount was 975,350,46 dols. But all who are conversant with the matter, are convinced that it would have 1,300,000 dols., if the paralysis of last May had not fallen on the energies of trade. The estimate of the board for the present year, 1,400,000 dols, in which I concur, believing, also that though it cannot fall materially short of that sum, no matter how adverse the State's general business may become, it may, and probably will, reach 1,500,000 dols., if the usual degree of prosperity be restored to the country. The tolls of last month alone amounted to 130,000 dols, of that sum." In another part of his message, after a *coup d'œil* at the different improvements, he concludes thus: "This view of the subject not only enables us to calculate with certainty or the increased earnings of the public works hereafter, but justifies all necessary expenditure for their completion, *even without* taking into account their other incalculable advantages to the State. * * * * Improvements thus increasing in productiveness under every disadvantage, demand, because they are worthy of all the care of the legislature." Colonel Peyton, said, I present these extracts as the testimony of the Canal Commissioners and Governor of Pennsylvania, in favour of a scheme which has been represented by gentlemen as a perfect Pandora's box, laden with evil, and threatening the State with bankruptcy.

I consider it, Mr. Speaker, and every unprejudiced mind must concur with me, as out-weighing all the bold assertions and ingenious deductions of gentlemen who are confessedly ignorant of the country and its improvements, and as proving beyond all question

the policy of the system as a mere money-making machine. It must strike every gentleman, that no inference prejudical to the opinions advanced by these Commissioners and the Governor, which are based upon the statistics of any single improvement, or any combination of improvements, ought to have any influence upon our judgment. If, then it be established, that looking only to the revenue from the improvements, it is a judicious investment of the public funds of Pennsylvania, the State we have selected as a test of its policy in Virginia, there can no longer be any difficulty in our embarking in the system, even if we had no loftier considerations to subserve, than those of a mere stock-jobber. This brings me to the consideration of the mode in which the works shall be made, whether upon the joint-stock or the State principle. And upon the decision of this question in favour of the latter, we believe, depends the cause of internal improvement, and the future destiny of the State.

Colonel Peyton said, the most plausible and ingenious argument which has been presented to the house in favour of the two-fifth, and in opposition to the State plan of improvement, was that of the gentleman from Campbell, (Mr. Daniel,) This gentlemen in his zeal to discover a spot on which to plant a lever to overturn the State system, created an imaginary foundation of impracticable abstractions, and opened from thence, with no small degree of confidence, and certainly with great skill, a furious broadside upon that portion of the report which recommended the construction of the South-western road on State account. The argument of the gentleman was this—He set out with the extraordinary assumption, that, upon principles of abstract justice, we have no right to take one dollar from the treasury for the construction of public works, that the subscription of two fifths on the part of the State being an appropria-

tion of the public funds to public works, was consequently unjust; and, a *fortiori*, inasmuch as the whole is greater than a part it is a still greater injustice for the State to bear the whole expense. The mere statement of this argument, divested of all the sophistry with which he had surrounded it, ought to be sufficient to refute it. But, as it had been the foundation of a long and able argument, and had been most plausibly and ingeniously maintained, he would examine it fully.

The political maxim, said Colonel Peyton, upon which the gentlemen has raised his superstructure, is illusory, and, as applied by him, utterly false. Upon principles of abstract justice, the Government has no right to appropriate the public funds on the construction of public works! Why, Mr. Speaker, upon principles of *abstract justice* you have no right to impose any of those restraints upon the actions of men, or exercise any of that control over their property, which, in the finest Governments that have ever existed, have exerted so salutary an influence and which has been universally conceded as indespensable to the existence of society. We abandon the helpless, inefficient, isolated and unsocial life of the wandering savage, that we may, by union, concert, and harmony be better protected in our personal rights and our rights of property, and by united counsels, and united means and energies, effect such measures as will promote the public welfare. Mixed up with the abstractions under consideration, and resulting in some degree from it, was another sophism equally exceptionable, as applied. He asserted, said Colonel Peyton, that beyond the protection of the country from foreign aggression, and the preservation of the due administration of justice, the less a Government interfered with the labour and industry, the pursuit and avocations of its citizens, the nearer it approximated the fulfilment of its duties and obligations,

and that any step beyond these limits was in derogation of certain abstract rights supposed by the gentleman to be be inherent and inalienable, or *reserved* by the community.

Suppose for a moment, said Col. Peyton, that the gentleman's argument may be placed in the strongest point of view, that the principles involved in his proposition are true—His argument admits, that it is the duty of the Government to protect and defend the country from foreign invasion, and that it may use the public treasure for that purpose. Suppose then, that Virginia, instead of forming one of this glorious union, were isolated and independent, surrounded by warlike neighbours, and subject to incursions upon the north, south, and west, so sudden and desolating in their character as to make the rapid transportation of troops and munitions of war an important element of her defence. Would not the Government, upon the gentleman's own principles, have a right to construct roads in every direction to promote the public welfare in this particular? And if, Mr. Speaker, the Government in such an emergency would have the right to construct these public works, has she not a right, and is it not her duty to provide before hand for the emergency, instead of waiting till the distresses and disasters of war leave her no alternative? If the power belongs to the Government in the extreme case supposed, why should it not reside in the Government of Virginia under existing circumstances, when it would confessedly put her in better condition to withstand foreign invasion, as well by the economy with which her troops and baggage would be conveyed from point to point, as by the promptness with which they could be brought to bear where most needed. But, said Colonel Peyton, conclusive as the argument is, even in this aspect, in favour of a system of internal improvement, we are not driven to the necessity of resting it upon such hair-splitting distinctions.

Every Government, said Colonel Peyton, rests upon its own principles, as ascertained by long usage, or its written charter; and the principles of the social compact, and the spirit of the constitution of Virginia, clearly and unequivocally recognize in its Government the right to do any thing which, in its wisdom, will promote the public welfare, provided it is not in contravention of the charter adopted as a guide and limit to its action. There is nothing in the constitution which prohibits the legislature appropriating the public funds to the construction of public works, or in any other way they may deem promotive of the public welfare. It follows, of course, that the legislature have the right to do it, and that, possessing the power, there can exist under the social compact no abstract right at variance with the constitutional right, and the inference of the gentleman from Campbell, that the legislature cannot exercise it without perpetrating a wrong—an act of injustice—is wholly gratuitous, and unsustained by any recognized, civil, or political principles, as, I trust, I have satisfactorily shown. We have thus established, said Col. Peyton, what he did not suppose was ever doubted, before the ingenuity of the gentleman from Campbell suggested it—the right of the State to use her treasures for the construction of public works, or for the general welfare, in any way she may deem expedient. I have previously shown, he said, the policy of a system of internal improvement, and the ability of the State to carry out the scheme proposed; and it only remains for me to offer some remarks as to the manner in which it shall be done.

[The usual hour of adjournment having arrived, Col. Peyton gave way, that a motion to that effect might be made.]

SECOND DAY.

House of Delegates of Virginia,
February 16th, 1838.

The Internal Improvement Report being called up, and Colonel Peyton being entitled to the floor, he rose and said:—

My argument not having been concluded on yesterday, when the hour of adjournment arrived, it is necessary that I should throw myself upon your indulgence for a portion of to-day. I trust, Mr. Speaker, that I satisfied the house on yesterday, that no principle of abstract right does exist under the social compact, which contravenes the constitution, and of course that the act of our legislature appropriating the public revenues to the construction of public works, does not violate any right, or operate any injustice, and of course that the ingenious syllogism of the gentleman from Campbell fails to prove, that because upon the State system there would be a larger appropriation of the public funds than under the joint-stock system, that therefore it was more unjust and objectionable. Having disposed of this branch of the gentleman's argument in favour of the two-fifth, and against the State system, it brought me to another on the same subject, in which he abandoned in some measure his metaphysical abstractions, and treated the subject in a more practical point of view. The acuteness of that gentleman's mind, enabled him to present a most imposing view of what he considered inherent evils in the plan of improvement on State account, and after maintaining himself most ably upon general reasoning, and entering his formal protest against deductions in favour of either system from isolated instances, or from any combination of cases, where all the circumstances,

moral, political and physical, were not well understood, he proceeded to adduce in support of the two-fifth place, the Chesapeak and Ohio canal, the Baltimore and Ohio railroad, and several other joint-stock improvements; thereby forcibly illustrating, by the false conclusions to which they led him, the truth of his promises. I agree with the gentleman, that partial statistics are worse than useless. It is true, that it is impossible to draw a comparison between works of other States, made upon the joint stock and State principle, without an intimate acquaintance with the topography of the countries through which they pass—the character of the works, whether they are temporary, requiring expensive repairs at short intervals, or permament and substantial; their relative natural advantages—in a word, all those influences, moral, political and physical, which affect them—and hence, I would depend upon no authority short of it. As then Mr. Speaker, there is no discordance in the views of the gentleman and myself, as to the character of the testimony which should influence the decision of this question, we have only to apply the test. And at the threshhold, I would ask whether the gentleman from Campbell or any other friend of the partnership system, has offered us a particle of testimony in support of it, coming up to the grade which we have established? It is doubtless fresh in the recollections of every gentleman within my voice, that the gentleman from Campbell did not even pretend to it. The truth is they have none, while abundant testimony of the most satisfactory character can be produced in favour of the State, and in condemnation of the joint stock system. Look, Mr. Speaker at the operation of the miserable, crippled and inefficient two and three fifths system, which has been in operation in our State for the last age! Behold its glorious results! See the extensive lines of railways and canals penetrating every quarter of the State, and

dispensing wealth, prosperity, and happiness to its citizens! See your noble port at Norfolk crowded with the canvas of every clime, and towns and cities springing up as if by magic, in every quarter of the country! Behold the Birmingham of America! Your own capital, parsimoniously husbanding every drop of her almost boundless water power, and applying it to machinery for manufacturing the cotton of Alabama, the wool of Ohio, and the minerals of Western Virginia! See your treasury filled to repletion, and the great State of Virginia advancing abreast of the State of Pennsylvania and New York, who have so unwisely and fatuitously adopted a system of internal improvement on State account!!

In the eager anticipation of beholding all these glorious results of the system so much lauded by the gentleman from Campbell, we ask, where are they? where are they? "and echo answers, where are they?" No, Mr. Speaker, instead of this animating picture, we behold the lacerating effects of this joint-stock system. We behold a depressing, hag-ridden Commonwealth, upon which this incubus has fixed itself so long as to paralyze all her energies, and almost dry up the fountains of hope. A system, said Col. Peyton, which should be entitled a system of financial phlebotomy, as it is merely used to deplete the body politic, and relieve the treasury when it discovers any symptoms of plethora. It is fitly described as a silent, insidious, thieving system, which plunders the treasury, without promoting the public welfare. Millions upon millions of the public funds are wasted in the companies, and many of them are so utterly unproductive, that it has been recommended to abandon them that the State may save the expense of printing the annual report of their condition; and the whole of them taken together do not average one per cent. upon the capital vested. Such, Mr. Speaker, is the true state of

the testimony afforded by our experience in the joint-stock system. After having lived through an age the cherished policy of the State, it has not been able to rear a single monument flattering to the pride, creditable to the enterprise, or in any respect worthy of the ancient fame of this renowned Commonwealth. The friends of internal improvement having aquiesced during this long period in the hope that some of the promised benefits would be realized, and finding every hope excited, the mere precursor of ruinous disappointment, they determined, if possible, to revolutionize the system. And after the maturest reflection, and a patient and accurate examination into the systems of those States which have been most successful, they have decided upon, and recommended, the State system. In doing this, we take the broad ground, that no State in this confederacy has ever carried on a system of internal improvement successfully, except on State account. It is difficult to form a system in any other way. For that cannot be called a system which depends upon the disconnected influences and conflicting interests of an infinity of localities. It wants an all pervading eye, that will embrace within its vision the whole State, and a hand of judicious bounty, that will administer to its wants and necessities as such, impartially. Such, is the whole system in theory, and such has been its operation in practice. In New York their great State work was eligibly situated, as to distribute its blessings over every portion of the State, and the original and wonderful success of this improvement, with which all are familiar, renders it unnecessary for me to dwell on it. In the State of Pennsylvania—the Flanders of this controversy—we offer such testimony in support of the system we recommend, as the gentleman from Campbell and myself have agreed upon as alone admissible. We offer the testimony of the Governor of that Commonwealth, who, in his message

of 1836, says, that when the works then in progress shall have been completed, stretching into every quarter of her territory, and bearing her immense agricultural, manufacturing, and mineral wealth to her own proud metropolis,* and to every State in the Union, it is a low estimate, he says, when these works are completed and in full operation, that her clear annual income, from this source alone, will not fall short of three millions of dollars, a sum sufficient to reimburse the whole debt incurred, as it becomes one, to continue her improvements to any extent, and to authorize the application of one million of dollars annually to the purposes of education. And all this, he says, with moderation, prudence, and caution, is not more than eight, and probably six years distant. We offer you the testimony of the canal commissioners, which I read to the house on yesterday, in which they state, that the revenue from the canals and railways is regularly progressive, and that the fund arising from them is becoming the main reliance of the State. We offer you the acts of the Legislature of the State, who are sustaining and upholding this stupendous fabric by prompt, bold and generous legislation: and by implication we offer you the testimony of the people of the State—they who are supposed to be the victims of all the oppression and grinding exaction which is inseparable from an expanded system of improvement, and whose miseries and distresses, under the system of taxation which it is said will flow from our scheme, has awakened the tender sympathies and sickly sensibilities of gentlemen on this floor.

All these, said Colonel Peyton, are persons, who I am sure the gentleman from Campbell will admit are familiar with the influences moral, political and physical, which affect the system and who from having

* Philadelphia.

previously tried a partnership system like ours, are peculiarly qualified to judge of their respective merits. In truth there is one vital and distinguishing feature in the joint-stock system, which is sufficient of itself, if there was none other to condemn it. It administers to the cupidity of individuals, and encourages them in unreasonable exactions upon the community. It fixes a tariff upon the agricultural and other products of the country, which is often interminable and always onerous. Whereas upon the state system, the legislature would have a right to accomodate its tolls to circumstances, and when the capital was reimbursed, might abolish them so far as to reserve a tax merely sufficient to preserve the works in repair, or retain a sufficiency to relieve the whole community from taxation. Suppose, for example the James river and Kenawha improvement completed, and the tolls should equal the estimates which have been made, viz: eight hundred thousand dollars; you then have the agricultural interest contiguous to this improvement, saddled with the principle part of this enormous tax, through all time—irrevocably and irremediably—when, if it were a State work, this immense burden might be removed, when the cost of construction was returned, and thus negatively distribute, through the community, in the most salutary form, a sum which would operate as a bounty to that interest which is the foundation and support of all others. With this example and an extract written from a letter by a citizen from Pennsylvania, who has long been distinguished for his devotion to the cause of improvement, for his sound practical sense, and his intimate knowledge of the operations of the system in his own State for the last 30 years, I rest the discussion of the relative advantages of the two systems. The extract is in reply to a query submitted to him on this very

point. He says, "An opinion prevailed in our State at that time (between 1816 and 1826) that the best mode for the Commonwealth to patronize public works, was for the Government to subscribe stock in chartered companies. It was believed, that the vigilence of private stock-holders over their own interests, would be a sufficient guarantee for the faithful application of the public funds; but experience proved that the State, as a sleeping partner, was often shamelessly swindled, and always had the worst of a bargain. Hence, when what with us is technically called the "Pennsylvania improvements," in contradistinction to company works, were begun in 1826, our Statesmen had become tired of partnership concerns, and they began a system of canals and railroads, to be constructed altogether by the funds of the State, to be entirely owned by the State, and all the tolls to be collected from the "works" to be paid into the State treasury."

Having shown in the previous part of my argument:

1st That the State has a right to appropriate the public funds to the construction of public works.

2nd That the estimate of the resources of the Commonwealth are correct, and consequently that she possesses the ability to accomplish the works proposed in the report.

3rd That it is *eminently* the policy of the State to engage in a system of internal improvements, if viewed in reference to its ameliorating influences upon society, and its augmentation of national wealth and power.

4th That even as a money-making, stock-jobbing scheme, it is a safe and profitable business on the part of the State.

5th That the most effective mode of obtaining the object is, by adopting the State principle. It would seem now to devolve upon me to show,

that the improvements recommended in the report, are pre-eminently entitled to the consideration of the legislature. But this branch of the subject has been so fully and so ably elucidated by those who have preceded me, and will doubtless engage the attention of others who will follow me, and who will probably be better qualified to do it justice, that I will save myself, and relieve the house from a tedious discussion of it at present.

Colonel Peyton said, before taking his seat he was desirous of drawing the attention of the house, and especially the friends of the James River and Kenawha improvement, more fully to a subject which has been alluded to in debate, and which has been the topic of considerable conversation out of doors.

There is an impression with many friends of the James River and Kenawha improvement — whence derived or how sustained, I am at a loss to conceive— that the friends of the system proposed by the committee, are inimical to their work, and that the success of this scheme will be the death of theirs. Surely, said Col. Peyton, there is nothing in the report which countenances any such idea, nor has anything fallen from any member of the committee on this floor, which justifies any such influence. So far from it, the report of the committee expressly recognizes this improvement as one of primary importance—one in which the character of the State is involved and to the successful completion of which the faith of the State is pledged. Nothing was asked and nothing desired at present by that company, and we could not do more than express the deep interest we felt in its successful issue, and reiterate the pledge of the State to advance its three-fifths, whenever the company might deem it necessary. Can it be believed that the chairman of the "Committee of roads and internal navigation," residing

in Goochland, on the very banks of the canal, would sit by and countenance a report which would be destructive of an improvement in which his interests and feelings are so perfectly identified? Can it be supposed that I, myself, representing a constituency, every individual of whom are vitally interested in the prosecution of this work, and representing a county which is perhaps to be more substantially benefitted by it, than any other in the State, would for one moment have given my approbation to any measure which threatened its existence? No, Mr. Speaker. It is an idle surmise, generated by a morbid suspicion, and kept alive by the indiscreet and intemperate zeal of some of the friends of that improvement. I certainly do not mean to reprehend the watchful vigilance of those to whom are especially entrusted the guardianship of this great work. The unsullied purity and patriotism of the amiable gentleman who is at the head of the company, and the deservedly high standing of the directory, forbid my harbouring for one moment an impression unfavourable to the integrity of the motives which have influenced them in their opposition to this scheme. What I mean to say, is, that they have evinced more zeal than discretion. They have run off with their false impressions before they have taken the trouble to acquaint themselves with the views of the committee, and have enlisted a feeling of suspicion and hostility among a portion of the James river and Kenawha representatives, which, if carried out, it requires no prophet to predict, will effectually close the door of the treasury to both schemes, at one and the same turning of the key. I will then, once for all, at the request of many members, make a concise statement of our views, by way of disabusing the minds of those who are at all disposed to be satisfied.

The friends of the report are the fast friends of the James river and Kenawha improvement. They mean

the pledge offered in the report as a *bona fide* pledge of the subscription indicated, and they are perfectly willing to give to the friends a *carte blanche* after the report has been adopted to incorporate in the bill based upon the report, a section in such form as they may deem best calculated to place the desired increase of the capital stock to five millions additional beyond all casualty, and to secure in the strongest manner, the subscription of three millions on the part of the State, to be paid *pari passu* with the subscription on the part of the stock-holders. With these fair and liberal propositions I call upon the friends of the James river and Kenawha improvement, to ground their unnatural opposition, if they do not wish to defeat that which they are attempting to preserve. Separate yourselves from your ill-sorted and suicidal alliance with the enemies of all improvement, who are using you to subserve their purposes, and who will spurn you when you have lost your weight and influence by the alienation of your true friends. If you give a selfish, contracted, and illiberal vote, strangling every other improvement in the State, I ask with what face you will present yourselves at the next session of the legislature, or at the session thereafter, asking their aid in the prosecution of your work? Do you flatter yourselves that the representatives from those portions of the Commonwealth, fresh from the defeat they have sustained at your hands, smarting under the injuries you have inflicted upon them, and exasperated by your monopolizing selfishness, will grant you one dollar. My word for it, if this bill fails by your votes, you will have registered the last vote—certainly the last general vote of the south-west, north-east and north-west in your favour. I entreat you, therefore, by the deep interest you feel in this scheme—by the deep stake the Commonwealth holds in it; by all the glorious results

which are expected to flow from it, to pause and ponder well before you give it the fatal stab. Stand forth boldly as the friends of a liberal system and you have nothing to fear; but shrink back with distrust and selfishness within your own shells, and you will assuredly have coals of fire heaped upon your backs. A few words more, and I leave the subject with the house.

I hope, said Colonel Peyton, that a fair and candid consideration of the views which I have presented, will be somewhat instrumental in advancing a cause which I have so much at heart, and which I conscientiously believe will contribute incalculably to the wealth, fame, power, and prosperity of the State. The imaginative powers are too feeble to conceive, much less to picture forth the change which a complete system of internal improvement would bring over the land. I will not attempt it. I hope, however, that the splendid results of the experiments of our more enterprising neighbours have had their influence upon the public mind, and given the friends of internal improvement a preponderance in our councils. If so, I trust we shall improve the opportunity which it affords of fixing this session as the great epoch from which to date the prosperity of the Commonwealth; an era which every patriot and philanthropist will revert to with heartfelt gratitude and the most triumphant feelings; as one next only in importance to that glorious day which stamped our freedom with the seal of the Declaration of Independence, in the lasting and inestimable benefits which have resulted from it to the good "Old Dominion," the renowned *magna mater virum*; the morning star of our political regeneration—the "pillar of cloud by day and fire by night," during its long and wearisome, and eventful progress; the Corinthian capital which imparts grace, and beauty and finish to

the magnificent temple which we have erected and consecrated to the rights of man."

The able and animated debate of which the foregoing was the concluding speech, was followed by a close vote, upon the report of the committee on internal improvements, and to the lasting credit and prosperity of Virginia, it was carried, thus becoming the law of the land.

Amidst the onerous and distracting duties in which he was involved, during this winter, it is pleasing to state that he found time to show, by his correspondence, that the dear ones sitting in the home circle far away, were never long absent from his thoughts. Among the numerous letters to various members of the family about this time, were many characteristic ones, addressed to the writer, then a lad at school, full of good advice and affectionate expressions of kindness.*

* The author has endeavoured as previously said by correspondence with his family and friends in Virginia to procure some of these letters, but such was the destruction, by fire and other causes during the civil war, of mansion houses, libraries, etc., that he has been unable to procure any which possess particular interest.

CHAPTER VIII.

In the month of June, 1840, my first visit was made to my brother on his Roanoke estate. The family, from Montgomery Hall, was about to proceed to *Isleham*, on Jackson River, one of my fathers' estates, about seventy miles from Staunton in the County of Bath, to pass the summer. They were in the habit of spending a portion of every summer there and in excursions to the baths which exist in this part of Virginia. Before leaving home my father sent me on my trip to Roanoke, accompanied by one of his favourite slaves, Ned Phipps. Mounted on a handsome bay cob, I was followed, at a respectful distance, by Old Ned carrying my clothing in a huge portmanteau attached *en croupe*. This remarkable African, a good, kindly, garrulous old man, had attended my father during the war of 1812-15 as a body servant (of which he was not a little proud) and from his experience, age, and faithful character, was ordered to follow me in a threefold capacity, as guide, protector, and valet. Though, as I have stated, the grim and

dignified Ned started on the journey in my rear we had no sooner lost sight of the Hall, than the sociable instincts of the venerable negro led him to spur up and place himself by my side. I did not object to this, being fond of his stories, some of which would have done no discredit to Baron Munchausen. On account of his wonderful tales he was slurringly called, by his fellow servants, "Ned Fibs." Our familiar conversation was kept up somewhat in the style of the famous Knight of La Manche and his squire Sancho Panza, until we approached a town or village, when, of his own accord, Ned would quietly drop to the rear and never resume his former position till we had lost sight of the last house. The force of habit was strong in old Ned, who had learned respect for superiors, as he said, "while in the army." Besides he was a stickler for the proprieties of life, and had I wished him to remain by my side in public places he would have refused. He was tested on this point the first day of our journey, when near the village of Fairfield, where I halted to replenish my brandy flask and tobacco pouch for the benefit of Ned, who was uncommonly fond of both stimulants—neither of which I used.

To my request that he would keep by my side he answered firmly, almost peremptorily:

"No sir, I know my right place. Massa can tell you Ned hasn't served in the army agin the Britishers to no purpose. He knows well enough officers post, soldiers duty, masters place and servants too." Valets

have their point of honour as well as their masters and I made no further effort to interfere with Ned.

Our route carried us by the *Rockbridge*, in the county of the same name, one of the greatest natural curiosities of our country, and through a portion of the valley remarkable for its fertility, careful cultivation, and attractive scenery. This was the first occasion on which I had seen this region about which much has been said and more written and which is worthy of every praise, I shall however make no attempt to describe it tourist-like. It may be pardonable, however to say that so beautiful is this section that while gazing upon it I felt—though all my days had been passed in the midst of lovely scenery—that it was all that fancy could conceive or poets picture: not only beautiful, but a blending of all beauties—streams and dells, fruit, foliage, crag, wood, water, tobacco-plantations, cornfields, meadows, mountains. It afforded me the greatest delight and I found "books in running brooks, sermons in stones and good in everything." Ned who had often travelled on this road lightened the fatigues of the journey by his gossip, giving the history of almost every house and family which we passed. He loved this kind of garrulity, as all negroes do, and when not indulging in it showed his appreciation of the fine scenery, by nodding placidly in his saddle.

During this visit of two months to Roanoke a further knowledge of my brother's character was gained.

> "He was humble, kind, forgiving, meek,
> Easy to be entreated, gracious, mild;
> And, with all patience and affection, taught,
> Rebuked, persuaded, solaced, counsell'd, warn'd,
> In fervent style and manner. All
> Saw in his face contentment, in his life
> The path to glory and perpetual joy."

The good relations which existed between himself and family, and the happiness which it diffused through the home circle, was also apparent. Never was any thing more admirable than the manner in which he conducted himself towards his wife, children, and domestics. There was perfect tolerance of each other's mistakes, lenity shown to failings, meek submission to injuries, always a soft answer to turn away wrath. All this he inculcated to those about him by word and action. He used to say to his children, by way of enforcing his views, "If you lay a stick of wood on the andirons, and apply fire to it, it will go out; put on another stick, and it will burn; add a half-dozen and you will have a conflagration. There are other fires subject to the same condition. If one member of a family gets into a passion and is let alone, he will cool down, and possibly be ashamed and repent. But oppose temper to temper; pile on the fuel; draw in the other members of the group, and let one harsh answer be followed by another, and there will soon be a blaze, which will enwrap them all in its lurid splendours." In this philosophic and Christian spirit he applied a sedative to those ebullitions of passion which ruffle the serenity of households, and infused such sweetness in

his cup of domestic enjoyment, that I could but exclaim in the language of Cowper,

> "Domestic happiness, thou only bliss
> Of Paradise, thou hast survived the fall!"

His conduct to his negro slaves was equally admirable. His only wish was to render them happy. Nothing which had reference to their comfort and improvement was overlooked in his plans for them. To each couple a hut was assigned, to which was attached a little garden, in which the slaves cultivated tobacco, maize, potatoes, and where they raised pigs and poultry. Those who were inclined to make money this way were allowed to go every Saturday afternoon to Big-Lick or Salem to dispose of their produce and spend the money as they pleased. In all this he but followed the example of our venerable father, who treated the slaves upon his several estates in this way, and lived the life of a patriarch instead of a tyrant. Throughout the whole South, during those prosperous days anterior to the civil war, every planter may be said to have been either a tyrant or a patriarch, according to the virtues or vices of his character. Both my father and brother belonged to the latter class. The reader will not be surprised to learn, then, that full measure pressed down and running over seemed the sum of his happiness.

Among the visitors who met at my brothers this summer, was our father, who crossed the mountains from Lewisburg, where he was attending the Court of

Appeals, and my maternal uncle, Colonel Lewis, who was on his way from South Carolina to the Sweet Springs.* Arriving in Roanoke, at the same time, my uncle stopped a week to enjoy the blandishments of society at Elmwood, and to recruit from the fatigues of his long journey overland. Colonel Lewis was a man of certain religious and political crochets, and the friendly discussions which occurred between him and my father afforded me no small pleasure. A brief account of some of these as a sequel to this chapter will not be uninteresting, as shewing the kind of life and discourse which sometimes prevailed in my brother's house. In religion Colonel Lewis was a Roman Catholic, and in politics a disciple of Calhoun, and was of course considered by our father as a muddle-headed abstractionist, whose ideas of eternal salvation were heretical, and whose theories of government could not be reduced to practice without national ruin. With affectionate solicitude, therefore, for the reputation of Uncle William, rather than because he fancied his soul endangered by his adherence to the Pope or the country by the blatant nonsense of South Carolina empiricism, he used every argument which suggested itself to his mind to win my uncle from his errors. Discussions thus arose, and these sometimes became so warm on part of my uncle, that their friends feared their polemics would some day result in a feud. Not so, however. My father's moderation was equal to his vigour, and he mollified my uncle,

* For abridged pedigree of the Lewis family see appendix C.

and soothed his discomfitures, for he was no match for my father in argument, by this style of reasoning, to which I was so often a witness that I am enabled to give the substance of it—parts of it almost word for word, as it fell from his lips.

"There is no necessity William," he would say, "for difference of opinion creating hostility. It must be admitted by all that there is great variety in the tastes, habits, and opinions of mankind, and it is necessary to harmony that it should be so. That partial discord tends to general harmony is more than poetically true, for, if all men were to set their minds upon living in the same climate, or under the same government; or, if all the people of a country had an unconquerable desire to live in the same town; if all the inhabitants of a town were to have a good opinion of only one physician, or of only one preacher, or lawyer, or mechanic, or could only relish one article of food, or fancy only the same dress; or if, all men were to fall in love with the same woman, or all the women with the same man, what would be the consequence? Why, from a feeling of seeming agreement, universal discord would ensue. Even the value of truth is best appreciated by the opposition it meets with, and falsehood and error are detected by the discriminating powers of opposite sensations and feelings. That there should not be uniformity of opinion upon many important subjects, such as the theory of government, etc., must be the stamp of heaven. For myself I claim freedom of opinion as an inherent right, provided it does not disturb the estab-

lished order of society. I fear your nullification views, my dear William, go this length. However, let me proceed, no man has a right to be offended at my opinion, or hold me in contempt for entertaining it, if it does him no injury; and, what I claim for myself, common justice, requires that I should allow to others; and did we well consider, that this disparity of disposition must be the designation of an overruling Intelligence, we surely should not suffer it to be the cause of feelings of animosity to our fellow-beings, though their political or religious opinions should be the opposite to our own—still less such old friends and connections as ourselves. For, continued my father, unless we had been subjected to the same involuntary impressions and sensations that other persons have been, which is perhaps impossible, we can be no judges of the merits or demerits of their opinions, or how they have outraged truth and reason, even admitting that they are in error. If it should be contended that truth and reason are immutable, and when two differ upon a fundamental truth there must be a deviation from reason and truth in one of the parties, I would admit it to be so if the question were susceptible of mathematical demonstration. This is rarely the case. Were I to meet a man who should contend, that two and two do not make four, or that the amount of degrees in the three angles of a triangle are not equal to the amount of degrees in two rightangles, I must justly charge him with folly or wilful falsehood; but, in whatever does not admit of demonstration, our convictions are our feelings; and

our feelings depend more upon involuntary impressions than we are often willing to allow. Certainly truth and reason are the most likely to prevail with cultivated minds, for truth and reason are the most likely to make the right impression, but we are too apt to overvalue our own kind of knowledge, while we underrate that of others. In point of real utility, the knowledge of the man who is skilled in the breeding and feeding of cattle is more valuable to society than is the knowledge of him who is skilled in mathematics, yet the latter will look down upon the former, when perhaps the only advantage he has over him is the being able to convey his knowledge in more correct and perspicuous language ; and, unless we possessed all kind of knowledge in an equal degree, we are liable to be imposed upon in some things, either by thinking too little upon them, or too much, to the exclusion of other branches of knowledge, the possession of which, though seemingly foreign to the subject, may be necessary to its clear elucidation ; for it is by the possession of general knowledge only, that we can claim a superior title to correctness in every particular. A, may be able to solve a difficult problem in mathematics : B, cannot do this, but B can make a plow upon true mechanical principles, which A cannot ; if C can do both, C must be superior to A or B ; but, all mankind are in the situation of A or B—as possessing only partial knowledge : we should all, therefore, be indulgent to each other's deficiencies. Still, my

superior in general knowledge and learning may be the dupe of a weak prejudice, without justifying an impeachment of either. "I have a brother-in-law," he would look askant at my uncle when getting off this kind of fillip, "of whose cleverness and general knowledge I have a very high opinion, yet in politics we are quite opposites: we indeed worship different idols, and the only superiority I can pretend to claim over him is, that I can bear for him to adore his idol even in my presence and yet keep my temper—a compliment he cannot always repay."

"Fudge!" exclaimed my uncle, jumping to his feet, and walking hastily to and fro across the room—"I may warm with my subject, but as for being offended with you it is out of the question. I'll never so far forget myself."

"Come, come, be seated," my father would rejoin, giving him a friendly shake of the hand, "let me proceed: of course you will not think I wish to depreciate the value of truth and reason; I only wish to urge, that the seeming want of them in others may be deceptions, and should not be the cause of contempt, acrimony, or ridicule. All are enamoured even with the shadow of truth; and should see the substance, if in their power; but, placed in a variety of lights and shades, some can only see the shadow, and mistake it for the substance." Thus their fraternal discussions proceeded and terminated in the discomfiture of my uncle, (who though a clever man, an eloquent talker, full of confidence, and

abundance of zeal, was no such logician as my father), and left not the slightest pain rankling in his bosom.

Colonel Lewis had been educated by my maternal grandfather, Major John Lewis, of the Sweet Springs, as a Presbyterian or Puritan—no man living could have been more averse to the doctrines of the Romish Church than Major Lewis, and to this he trained his son. Zealous in every cause he espoused, Colonel Lewis conceived the idea of converting the Pope to his religious views, and was making preparations to visit Rome for this purpose, when he met a beautiful and intelligent maiden lady, in New Orleans—a tenacious Papist, who converted him. She soon became his wife, and he became one of the most devoted Roman Catholics who ever bent the knee at the shrine of a Saint. Not long after this, he commenced distributing tracts and exhorting people to return to the bosom of the mother church. A room in his house, "Lynn-side," Monroe county, Virginia, was converted into a chapel for private worship, and was ornamented with sacerdotal trinkets, relicts, etc., and the graceful spire of a Catholic Church soon shot above the trees of his park-like grounds. Aided by an Irish family by the name of White, and Leonora Stack, a sister of Mrs. White, and all Papists; Colonel and Mrs. Lewis succeeded in impressing the minds of many of the people in the neighbourhood of the Sweet Springs, mostly among the poorer and more ignorant classes and on Sundays and Saints Days, in this hitherto thoroughly Presbyterian community, quite a respectable

congregation both for numbers and appearance assembled to worship. The service, too, was conducted with as much of the splendour and magnificence of Rome as could be imported into it. The interior of the church is handsome, the accomodations convenient, a sweet-toned organ sent forth its solemn tones and novitiates chanted. Two Holy Fathers took up their residence at "Lynn-side," and by their sanctified manners and pious exhortations, seconded by the affability and condescending manners of Colonel and Mrs. Lewis and the pleasing deportment of the Sisters, and above all the charity freely held out to the needy, made a decided impression on this Puritanistic stronghold. Notwithstanding Colonel Lewis' sudden and total change in religious faith, no one ever doubted his sincerity, but there were not a few to combat his views and sneer at his convert zeal. In the family circle particularly there were frequent discussions upon religious tenets and principles. From having despised such myths, my uncle soon became a believer in miracles, holy legends, etc., and I remember many years after this an animated conversation between himself and my father on the subject.

My uncle argued with much ingenuity—for he was a clever man notwithstanding his crotchets—that a belief in holy legends was an obligation imposed upon all Christians, and upon the great danger of entertaining the least doubt of their authenticity. My father said in reply, that he would as soon consider himself under an obligation to believe the tales of Baron Munchausen.

Mankind, he said, in all ages had been credulous and had been imposed upon not only in tales and romances but even in histories. St. Gregory condemned Livy's history to be burnt on account of its many falsehoods, on the plea that belief in such things was contrary to the faith of your own church, William. And I say it without intending to be impolite, but merely to express a conviction of my mind, that no set of men are more to be reproached for filling history with puerilities and pious fictions than the Roman Catholics. In the middle ages they were a community whose minds were filled with idle fancies, and they endeavoured to stuff the minds of other sects with the same vain imaginations. In his work entitled, "Revolutions in Spain," Father d'Orleans invents, in one action which occurred between the Spaniards and the Turks, as many miracles as were related by all the Roman historians put together. The rapid multiplicity of miracles he averred to be interventions by the Diety in favour of the Christians."

"I may further add"—though not a pedant, my father was a profound scholar, and when engaged in the discussion of a subject generally exhausted it—"Vossius, in his 'De Historicis Latinis,' audaciously assures his readers, continued my father, that the walls of Agouleme, in the reign of Clovis, suddenly fell to the ground by virtue of a small vial! With more mendacity, Maimbourg, in his history of Lutheranism and Calvinism, says, that, in 1547, the sun was stopped in his course, in order that the Roman Catholics, under

the Emperor Charles V. might have time to entirely defeat the Protestants, under the Duke of Saxony. And Sardoval, Bishop of Pampeluna, Historiographer Royal to Philip III., confirms this statement, adding that, during the battle, the sun was the colour of blood, and was so seen over the whole of Spain and France, Italy, and Germany. And, in order that his readers should not doubt his assertion, he says, 'I saw the miracle with my own eyes.' That was enough from a Bishop—and the people of Spain believe his statement to this day. The Monkish writers, who have transmitted to us the histories of the Crusades, have inserted into them a multitude of miracles, which are so contrary to common sense, that it is useless to seek to show their falsehood.

No sensible person in the present generation can believe that battalions of angels, clothed all in white, descended from heaven to assist men. True, these men were Christians, they had good intentions in originating the Holy War; nevertheless, in prosecuting that war, they acted with such fearful cruelty and remorseless vengeance as to be perpetrators of atrocious crimes. Such men, even in the days of miracles, would surely not have been assisted by the interposition of heaven? But the people who lived in those days readily believed every invention that had its foundation in piety. They also believed such folly as tales of enchanters and deeds of sorcerers quite as much as religious prodigies and miracles. It was the taste of the age; and in compliance with it, authors who wrote

the lives of the then illustrious resorted to the style which romance writers alone now adopt. For a great man to fight against ordinary men was too insignificant an achievement. He must have an enchanter for his adversary; then his surpassing valour and virtue were sure in the end to attract the attention of some sage magician, who protected him against his opponent. Thus was the attention of the reader kept alive by wonder at the acts of the rival enchanters, and interest taken in the fate of an unconquerable and undaunted hero, incessantly fighting against his evil fortune. Hence arose such incredible stories as those of Rinaldo and Armida.

And, my dear William, a great light in your church, Ajobardus, Bishop of Lyons, composed in the 9th century, a treatise, with the view of combating and destroying all those absurd whimsies. "Such great folly" he exclaims, "has now seized the poor world, that christians believe absurdities, which heathens before them would never have believed."

Great, indeed, were the absurdities believed in the 9th century; but there are quite as great extravagances in belief in this, the 19th century—so monstrous, that one knows not how to refute them seriously; so irrational, that one cannot help being amazed at the credulity of mankind, and coming to the conclusion that anybody having a design to deceive the world can easily find persons ready to be duped; for we have only to open our eyes to see that minds are always to be found fitted to receive and believe any folly, be it ever so ridiculous.

Mark the falacious things people have faith in; true, these people are the victims of prejudice, and are thereby prevented from making use of their common sense. Countless numbers believe in sorcery, witchcraft, vampyrism, clairvoyance, electro-biology, astrology, fortune telling—heaven knows what besides! Here then, are people carrying into the years of maturity the puny intelligences of that period of their lives when, enclosed in a nursery, they believed as a fact every incident related in a fairy tale, or a giant or hobgoblin story.

Now, William, I cannot flatter myself that I shall convince you of any errors, which in my opinion, you have been guilty of in this respect. That is no reason however, why I should not attempt to make you entertain a disbelief of all foolish impossibilities. For example, there is the falacious science of astrology—it has been the game of a few designers in all ages, for sordid interest, to have duped others and been duped themselves. In ancient times they were, in Alexandria, compelled to pay a certain tax, which was called the "Fool's tax," because it was raised on the gain that these imposters made from the foolish credulity of those who believed in their powers of soothsaying. Well may believers in this science be called "fools," when they do not seem to consider that if the principles of judiciary astrology were correct, and its rules certain, the hands of the Almighty would be tied, and ours would be tied also. All our actions, all our most secret thoughts, all our slightest movements would be

engraven in the heavens in ineffaceable characters, and liberty of conduct would be entirely taken away from us. We should be necessitated to evil as to good, since we should do absolutely what was written in the conjectured register of the stars, otherwise there would be falsehood in the book, and uncertainty in the science of the astrologer. How we should laugh at a man who thought of settling a serious matter of business by a throw of the dice. Yet the decision of astrology is just as uncertain. Our fate depends upon places, persons, times, circumstances, our own will; not upon the fantastical conjunctions imagined by charlatans.

Suppose two men are born on our planet, at the same hour and on the same spot. One becomes a hewer of wood and a drawer of water, and the other an Emperor, or a commander-in-chief of an army. Ask an astrologer the cause of this difference. In all probility his reply will be —"It was so willed by Jupiter."

Pray, what is this Jupiter? Why, it is a planet, a body without cognizance, that acts only by its influence. How comes it, then, that Jupiter's influence acts at the same moment and in the same climate in so different a manner? How can that influence differ in its power? How can it take place at all? How can it penetrate the vast extent of space? An atom—the most minute molecule of matter would stop it, or turn it from its course, or diminish its power. Are the stars always exercising an influence, or do they exercise it only on certain occasions? If they exercise an influence only periodically, when the particles which, it is

contended, are detached from them, are coming to our sphere, an astrologer must know the precise time of their arrival, in order to decide rightly upon their effect. If, on the other hand, the influences are perpetual, with what wonderful speed they must rush through the vast extent of space! How marvellous, too, must be the alliance they form with those vivacious passions whence originate the principle actions of our lives! For if the stars regulate all our feelings and all our proceedings, their influences must work with the same rapidity as our wills, since it is by them that our will is determined.

Here is a young man who takes it into his head to have nothing more to do with a young lady he loves, because she bestows a tender glance on a rival. What a number of influences must be at work, and how quickly too! As quick as the glance the lady shoots from her eyes, as swift as the thought of the lover who takes offence, for it is these influences which determine the lady to tenderness and the young man to jealousy. Is this too mean a matter to consider? Oh, no! Astrologers maintain that the most insignificant things are ruled by the stars. The quarrels and reconcilations of lovers are quite in this way, nay they make their best market out of them: they have no such faithful followers as lovers. Who is so anxious to consult the astrologer as a young man in love? and as to the fair sex—we all know how much more inquisitive they are than ourselves. No, no! the makers of horoscopes have no such constant customers as lovers. Astrologers

and lovers! What a union! Both how deceitful! If the fair would be advised, I should counsel them to guard themselves more against the predictions of astrologers than the insinuating attentions of gay and gallant young men.

What has been said of planets may be said of comets. For a long time it was believed, even by the wise and great, that the appearance of a comet indicated evil. Evils will certainly happen after the coming of a comet; why, yes, just as they will happen after the rising and setting of the sun; for it is in the ordinary course of things that there should always be great calamities in some part or other of the world. The influence of a comet is no greater than that of a man putting his head out of a window to look at people passing along the street. His looks have no influence on the people passing, and they would all pass the same, whether he put his head out of the window or not. In the same manner a comet has no influence over events, and every thing would have happened as it did, whether it appeared or not.

People in the past generations were believers in these influences. That superstition has now gone out and is supplied by a variety of new kinds of impostures, but there is no necessity of endeavouring carefully to refute them!"

After this manner my father sought to persuade his worthy brother-in-law of his illogical, chimerical views. Vain was the effort. My uncle never recanted, but died a firm believer in the religious tenets, principles,

and faith he imbibed from the gifted lady who became his wife. Though unconvinced by my father, he must have derived no small amount of information from his conversations; it could not have been otherwise, for his common discourse abounded in learning, wit, and knowledge. I shall always regret my inability, consistently with the scope of this memoir, to do ampler justice to the virtues of one who filled so considerable a place in Virginia with honour and credit, and thus, while erecting a memorial to his memory dictated by filial affection, to hold out an example of good qualities for the imitation of others. Survivors owe this much of a debt to departed worth; and if ordinary friendship imposes this duty upon us, how much more binding is the obligation when the friend and survivor is a son.

CHAPTER IX.

Among the interesting questions at this time dividing the political parties in America, was that of the proper distribution of the money arising from the sales of the public lands.

When, in 1783, the treaty was signed by Great Britain, recognizing the independence of the American colonies, and the United States were admitted into the family of nations, the Confederacy owned no public lands whatever. It is true that lying within its borders was a large tract of unoccupied territory, amounting, in the aggregate, to about 226,000,000 acres; but this land belonged to the individual States, not to the Federal Government. The English charters had given to several of the colonies the coast of the Atlantic as their eastern boundary, and had defined, though loosely, their northern and southern limits; westward, however, their territorial rights stretched across the continent to the Pacific. The French possessions, on the other hand, extended from the St. Lawrence to the Gulf of Mexico; their eastern boundary was not very clearly

defined, but the line drawn not only ignored the claims of the English colonists to the western territory, but even infringed upon the limits of some of the colonies themselves. In support of their pretensions, the French erected forts and block-houses, at intervals, from the Great Lakes through the western part of Pennsylvania, to the Ohio; then along the banks of that stream to its junction with the Mississippi; whence their chain of military posts followed the course of the latter river to its mouth. The English colonists found themselves, by these proceedings of the French, hemmed in, and, in defiance of what they considered their just rights, prevented all expansion westward. A conflict between the two races was, under these circumstances, sooner or later inevitable. A collision, in fact, took place so early as 1753, on the banks of the Ohio, between some English settlers and the garrison of one of the forts already referred to. Both parties to the quarrel hastened to lay the story of their injuries before their respective governments. The consequence was a long and sanguinary war between England and France, in which half Europe became involved.

In the New World, Braddock's defeat temporarily delayed, but could not avert, the final catastrophe. The superior numbers and indomitable resolution of the Anglo-Saxon in the end prevailed; Canada was conquered; and the forts on the Ohio were necessarily abandoned. France, it is true, still retained Louisiana, which comprehended not simply the present area of the State bearing that name, but a vast tract of territory,

extending from the Gulf to the 49° of north latitude; and from the Mississippi, on the east, to the Mexican frontier, on the west. But, by the time the people of the English colonies had become a nation, the French power, in America, had been so thoroughly broken, that no further opposition to the expansion of the Confederacy was to be apprehended from it.

The conflicting claims of the various States to the Western territory, derived, as already stated, from their old colonial charters, threatened indeed to lead to serious legal difficulties, if not to an actual collision, between the inhabitants of some sections of the Confederacy: for the boundaries of several of the colonies had been so carelessly defined, that they actually in some places overlapped each other; and the difficulty was of such a nature as, apparently, to offer almost insuperable obstacles to a solution which should be equally satisfactory to all parties. The question was, nevertheless, amicably settled; and in a manner highly creditable to the good sense of the inhabitants of the several States interested. Instead of wrangling with each other as to the justice of their respective claims to the unsettled territory, they all, without exception, in the course of a few years, embraced a proposition that they should cede their rights in the land lying beyond their borders to the Federal Government. These cessions embraced the entire area now occupied by Ohio, Indiana, Illinois, Michigan, and Wisconsin. These various gifts placed the Confederacy in possession of over 200,000,000 acres of land. In 1803, Louisiana

was purchased from France; and this acquisition, alone added no less than 1,000,000 square miles of territory to the Union. In 1819, Florida was ceded by Spain to the United States making the total aggregate of lands, acquired by the Federal Government, since the revolution to that date at a thousand million acres. At this time the sales of public lands produced 3,000,000 dols. a year, and continued to increase until, in 1836, they rose to 21,000,000 dols.

The general government was administered at this period with enlightened economy. A low tariff yielded more than was necessary to meet the annual charges upon the treasury for the civil, diplomatic, naval, and military services. No taxes were levied, no debt existed, and it became an interesting question how to distribute the surplus in the treasury, augmented by the sum of 21,000,000 dols., arising from the land sales. One party, led by Hon. Thomas H. Bayly, advocated a reduction in the tariff, and the application of the land to supply the deficiency thus created in the ordinary expenses of the Confederacy. The opposite party wished the tariff left as it was, as no one felt the indirect tax thus imposed and the land distribution among the separate States, according to their population etc., with a view to its being spent in State improvements, such as the erection and support of schools, colleges, and the opening of roads, canals, etc., etc. To this latter party belonged Colonel Peyton, who in reply to a speech of Hon. Mr. Bayly delivered the following rejoinder in the House of Delegates, of Virginia, on the 29th of January, 1839.

House of Delegates of Virginia,

January 29th, 1839.

PUBLIC LANDS.

The Fourth Resolution being under consideration, in the following words:

Resolved, That not only the experience of the past, but a wise forecast requires the speedy adoption of some equitable plan providing for the distribution among the States, in just proportions, of the proceeds of the sales of the public lands; and this General Assembly doth therefore earnestly urge upon Congress the immediate adoption of such measures as will be best calculated to obtain this desirable object.

General Bayly moved to amend by striking out all after the word *resolved,* and inserting "that Congress ought to adopt some equitable plan, providing for the distribution among the States, in just proportions, of the nett proceeds of the public lands, or so much thereof as may not be necessary, taken in conjunction with the customs as regulated by the Acts of Congress of the 2nd of March, 1833, and other sources of revenue, to defray the expenditures of the government, economically administered."

After the Fourth resolution insert Fifth. Resolved, "that the adjustment of the tariff, contained in the Act of Congress of the 2nd of March, 1833, commonly called the Compromise Act, ought to be held sacred and inviolate."

Colonel PEYTON said, that in throwing himself upon the indulgence of the House at this time, he was unprovided with the artificial machinery of a set speech, which was the best guarantee he could offer that he would tresspass upon their patience but a few moments. Indeed he felt that it was the duty of every gentleman to be as concise and succinct in the expression of his views upon the resolutions as was consistent with

perspicuity, that we may lose as little time as possible in coming to a decision and laying that decision before Congress. It was one of those measures which, to make it effective, it must be prompt. If, we dally and dispute about abstractions much longer, another census will overtake us, which will disclose a numerical power in the Western and South-western States, which combined with the alliances which they may contract with Presidential aspirants, will enable them to substitute successfully votes for arguments *(volanta pro ratione)* and by a species of legalized spoilation deprive us, first of our domain, and then, as a natural and inevitable consequence, of our population.

He continued, and said, he should forbear at present from presenting his views of the iniquity of the several graduation bills which had been discussed in Congress, or of the very modest proposition of some of the States to divest us, in toto, of our interest in a common fund for which they are principally indebted to our generosity and patriotism, nor would he, at present, attempt to picture forth the desolating influences of either policy upon the Old States, but confine himself in the few observations which he should submit, to an examination of the arguments submitted by the gentleman (General Bayly) who had just taken his seat.

That gentleman opposes an unconditional and unqualified distribution of the proceeds of the public lands among the several States, on two grounds — first, because it violates one of the provisions of the Constitution of the United States—and secondly, because it has a tendency to revive the Tariff—both of which difficulties he proposes to obviate by confining the distribution to periods when there is an unappropriated balance in the treasury, beyond the wants of the Government, economically administered. In the truth and justness of these sentiments, the gentleman from Accomac has certainly succeeded in convincing himself

most thoroughly; and hence his assertion that those are not only blind, but wilfully blind, who do not concur with him. It is possible that my mental vision may not be as acute as that of the gentleman from Accomac. It is possible I may unconsciously labour under some visual obstruction which exposes me to optical delusions, but I do assure the gentleman, that whatever be my defects in this particular, I am, to say the worst, fortunately not wilfully blind.

Perhaps it may be a delusion, but I am certainly impressed with the belief, that I have a clear perception of the fallacy of the gentleman's argument as well as the impolicy of the plan he proposes.

In the first place, let us scrutinize his constitutional argument. He contends that inasmuch as the several States had ceded their western territory to the Colonial Government, as a common fund to pay the debts growing out of our revolutionary struggle, and to defray the charge and expenditure of the several States, that the convention of 1787, which framed our constitution, must necessarily have had these lands in contemplation, when they framed that clause which gives Congress the power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the country. That, looking to this almost boundless domain as a source of revenue, they framed this clause expressly in reference to it, and that any attempt to divert the funds arising from this source, so as to require all the expenses of the Government to be borne by taxes, direct or indirect, would be in violation of the constitution. This construction, Mr. Speaker, has at least the recommendation of novelty. I am sure there is not a gentleman within the sound of my voice, who ever dreamed of it before—nor can I believe it will find a response in the mind of a single member.

Can it be believed for a moment that an Assembly

composed of such men as prepared our constitution, could have committed a political blunder so palpable as to plant one of the main pillars of the Government upon an unsubstantial and evanescent foundation? Can it be believed that a body, composed of the first civilians of the age—men whose reputations for forecast and wisdom shine brighter with the lapse of time—would, in framing the constitution of a great nation, have committed a blunder so puerile and absurd as to have made the Government depend for its support upon lands which are every day diminishing in quantity, and which must sooner or later be entirely exhausted? Ages and centuries are but as days and weeks in the histories of nations, and it would be an indelible imputation upon the statesmen composing the convention of 1787, to establish the construction contended for by the gentleman from Accomac. It would make them perpetuate the incredible absurdity of providing a fund for the support of the Government, which would be constantly decreasing after a certain period, and which must ultimately be exhausted—constructing a chart of Government for a great nation, which it was hoped would maintain its principles and its integral existence dependent upon temporary and transient resources. But, to make this question still plainer, cast your eyes prospectively to that period when all these lands shall have been wrested from us by the plundering rapacity of the West—or, to the somewhat remoter period, when we shall be divested of them by the ordinary operation of the present land system. Then this Pactolus, which now pours its golden floods into the coffers of the Union, will be dried up and exhausted; and the Government, if the construction of the gentlemen obtains, left destitute of any mode of defraying its current expenses. This, Mr. Speaker, does appear to me to be a complete *reductio ad absurdum*, and of course establishes its own fallacy. The plain, obvious, common sense and

universally acquiesced in construction of the clause which gives to Congress the right to lay and collect taxes, etc., etc.; to pay the debts, and provide for the common defence, etc., is, that the General Government is to judge of the exigency, and then exercise its discretion in raising the means to meet it by taxes, direct or indirect. I am free to admit, Mr. Speaker, that the ardour and zeal which the gentleman has displayed in the support of a proposition so untenable has convinced me that he was sincere and honest in his assurance to the House, that his views on this subject were hastily concocted. Reflection, with a gentleman of his intelligence, would unquestionably have exposed its defects. The next branch of the gentleman's argument, though more plausible, is equally fallacious. He argues that in consequence of the increased and increasing necessities of the General Government, and the diminution of revenue, growing out of the Compromise Act of 1833, that an unconstitutional distribution of the proceeds of the public lands, would leave the Government unprovided with sufficient means to meet its wants and drive them to an increase of duties and a violation of the compromise. And, hence the propriety of his amendment, which, recognizing the constitutionality of distribution, restricts it to periods when there shall be a surplus beyond the economical wants of the Administration, and which further protests against any violation of the Compromise. At the first blush, the gentleman's argument would seem to be just and legitimate, but a little reflection will satisfy you, Mr. Speaker, that it will not stand the test of a rigid scrutiny.

Establish the gentleman's principle that there shall only be a distribution of the surplus beyond the economical wants of the Government; that the revenue derived from the sales of the public lands, must primarily be exhausted in the discharge of the public liabilities

before the Government can legitimately resort to another source, and what would be the condition of things? Does not the gentleman from Accomac see the constitutional as well as financial difficulties which would grow out of it? With heavy receipts from the sales of the public domain, such as we have witnessed for the last three or four years, there would be a sum sufficient under an *economical* administration of the Government, to defray all its expenses, without touching one cent of the revenue, derived from imposts under the Compromise Act. This would produce a *redundancy* in the Treasury by the continual influx from the Customs, which according to the gentleman's own principles, would be a violation of the spirit and meaning of the Compromise, and an unconstitutional exaction, as it would not be necessary to meet the burdens upon the revenue. But these, Mr. Speaker, are theoretical evils, such as often play the part of ghosts in Virginia, haunting the imagination and disturbing the sickly sensibilities of our "*unco righteous*," straight-laced politicians. They are rather possible than probable evils. But there are others of a grave and important character resulting necessarily and inevitably from the policy of the gentleman from Accomac. The truth is, however distant and widely separated may be the sources of our revenue, whether derived from the tariff, or lands, or excises, all the various streams are tributaries to a common reservoir, where they all mingle together for a common purpose, and lose the distinguishing features of their origin. The question is never raised whether an appropriation shall be made out of monies derived from any particular sources. The draft is on the Treasury, and the money taken from the commingled contents of the common reservoir. In this state of things is it not as plain as noon-day, that there would be a constant effort to raise the imposts, that the general fund might be

augmented, and a surplus created for distribution. The northern and western States, which are principally interested in the maintenance of the tariff, united with those States whose distributable share would compensate them for the burdens of the tariff, would scatter to the winds all the parchment and moral obligations of the Compromise Act, and compel an increase of duties. Could a finer field be presented for such combinations than the States of our Confederacy? Are they not peculiarly liable to temptation? Engaged as most of them are, in devising and carrying out comprehensive schemes of general education, and in projecting and executing magnificent schemes of internal improvement, both of which require the command of enormous sums of money, I ask, would they not yield to the seductive blandishments of their tariff friends, and unite in a scheme which promised to relieve their necessities and replenish their coffers? Add to this the intrigues of political gamblers for the Presidential chair, who would most assuredly trade largely upon this very available and efficient capital, and none can doubt the corrupting influence of the measure, and its direct and inevitable tendency to produce the very evils deprecated by the gentleman from Accomac, and sought to be guarded against in his amendment. But the gentleman finds the corrective to all this, in that part of his resolution which sanctified the Compromise Act. Does it afford the remedy? By that Act, Mr. Speaker, the duties are to be reduced to twenty per cent *ad valorem* in 1842. Now if this was an imperative and unyielding stipulation that there should be no articles other than those at present embraced in the tariff, subject to the duty of 1842, and that twenty per cent *ad valorem* would be the duty through all time and under all circumstances, then the gentleman's argument, that our policy endangered the Compromise, would have some plausi-

bility. But such is not the fact. In the year 1842, the duties, according to the scale agreed upon, will be twenty per cent. After which time it was agreed, that it should expand or contract according to the necessities of the Government *economically* administered. If the Government, according to this Utopian standard, required a revenue which this twenty per cent fell short of producing, then they were authorized by the Compromise Act to raise the duties to the point required by the expenditures. Hence, it is perfectly apparent, if you require an absolute distribution, and the necessities of the country should demand, what I think very improbable, larger means than is afforded by the Customs, under the reduced tariff of 1842, the duties may be augmented so far as to meet the exigency, without violating the letter or spirit of the Compromise.

As a general, and indeed almost universal rule, prudent individuals are economical according to the means they have at their disposal. As with individuals, so with Governments. The annals of private life and the pages of history alike attest its truth as a general proposition. Our own Government, whose spirit and genius is at war with extravagance and corruption, and which should have constituted the exception, if any were exempt, presents in its history the most exact conformity to the maxim. In the infancy of our institutions, when we were stinted in our resources, we prided ourselves upon our Republican simplicity, and the moral grandeur of a great nation disdaining the ostentatious trappings of Governmental grandeur, but as we advanced in population and wealth, the *spartan broth* yielded to the *plum pudding;* splendour was substituted for simplicity, until in the administration of the second Adams, our Governmental expenditures had reached the enormous sum of 13,000,000 dols. A sum so far beyond anything we had conceived necessary for its support, that he was

expelled almost with one voice from the Presidential chair. So deep and pervading was the dissatisfaction of the people, with these wasteful expenditures of the public treasure, that each successive Administration has made reform and retrenchment the watch words of party. And yet, Mr. Speaker, notwithstanding we have gone forth to the battle with "economy" emblazoned upon our standard, the immense revenues pouring into our coffers from indemnities, public lands, and the customs, have exercised a counteracting influence, and our march in extravagance has been almost *pari passu* with our augmented income. In 1836 the expenditures had reached the almost incredible sum of 40,000,00 dols. Thus showing the tendency of our government to spend according to its means, and the visionary absurdity of the restraint imposed by the terms *economical expenditure.*

Pour the wealth of the Indies into our Treasury, and my word for it, the political doctors whom chance or fortune may have placed at the head of our affairs, will soon discover some happy depletive remedy for this oppressive *plethora.* National roads, fortifications, exploring expeditions, and the almost endless *et ceteras,* which are the natural fruit of ample means, become by a "log rolling" combination of the members of Congress, necessary and proper in their estimation, and professedly consistent with a judicious economy. Hence if the amendment of the gentleman (General Bayly) should prevail, reason and experience teaching us that the expenses of the Government will keep pace with its income and the terms of the Compromise, according to the construction of the gentleman, actually exhibiting a surplus, we cannot by possibility have the distribution which he recommends in the first part of the resolution, except in the way I have argued. The resolutions coupled with the gentleman's amendment is either a stimulant to evil, or it is a reality. It will

either drive us into fraudulent contributions for raising the duties, that we may have a surplus to distribute, or, according to the gentleman's own shewing, it will be utterly inoperative and ineffectual for any object we may have connected with the public lands. In both of which aspects I am utterly opposed to it.

I forbear, Mr. Speaker, launching into a more extended field of discussion, for the reason assigned when I first rose. Already I have extended my remarks further then I contemplated, and I hope the House will find an apology for it in the magnitude and importance of the subject, and the novelty of the positions assumed by the gentleman who preceded me.

CHAPTER X.

For some years previously to 1849 the question of popular education and Free schools had excited much interest in Virginia. One of the most earnest friends of a general system of education was Colonel Peyton, who made his views known in conversation, by communications to the newspapers and speeches at public meetings in Roanoke, and at a State Convention in Richmond. He left the important affairs of his Coal mining and river improvement projects in Boone county, at an inclement season and travelled nearly 400 miles over the wretched roads of Virginia, in a ricketty stage coach, in order to attend this Convention, in which the writer was also a delegate from the county of Augusta. Such was the deep and enthusiastic interest he took in this vital subject. His private affairs were but as dust in the balance, when they were in conflict with those he owed to society.

From a lively recollection of his conversations and speeches at this period, the author is able to give the

following brief synopsis of his views on this interesting question.

He maintained that popular ignorance was one of the greatest curses that could afflict a people, and was altogether inconsistent with the theory and practice of Republican Government. Quoting the language of Hosea, "my people are destroyed for lack of knowledge," he asserted that the ignorance which prevailed among the ancient Jewish people was the principal cause of their unhappiness, betraying them into crimes, and consequent miseries. It was this ignorance, this fatal lack of knowledge, which caused them to reject Jesus Christ and led to their destruction. He then considered the mental darkness which prevailed among the ancient heathen nations, and traced to it all their wretchedness. In their depravity they departed from the original ways of Providence, and set up false deities to be worshipped. All true morality and religion were destroyed amongst them, and the mass of mankind sank into darkness and woe. In his opinion, the only way to preserve the moral world was by a diffusion of true knowledge, by which men would be able to see what was wrong. From a consideration of the malignant effects of ignorance among the people of the ancient world, Jews and Gentiles, he passed in review the ignorance prevailing in subsequent ages, and finally came down to what was called the Augustan period of English literature, when Addison, Pope, Swift and other writers flourished, as well as philosophers, statesmen and heroes. Even at this period he said the mass of

English people were steeped in ignorance, and were considered by the educated as mere mental barbarians. An author never thought of his works being read by the debased multitude; they were composed for the educated few, who were recognised as a select community; and it was one of the most remarkable features of the times, that the cultivated part of the British nation regarded the mental and moral condition of the rest with the strangest indifference. To such an extent did ignorance prevail among the lower orders in England, that it might almost be called heathen at the time when Whitfield and Wesley began to excite the attention of the multitude to that subject. He then passed in review its effects upon the character of the English nation, and said that the gratification of their senses was then their chief good. It led to a disposition to cruelty, which was displayed and confirmed by their practices, such as prize fighting, cruelty to horses and the brutal way of slaughtering animals. And what was true of them would prove true of other people—fallen nature is the same everywhere. Education had done much, since the period to which he referred, to enlighten and educate the British people, and he trusted that Americans would not be insensible to their example. He said it was dishonourable to a country that the people should be allowed to remain in this condition, a monstrous thing in a Republic which was supposed to be governed by the people—they, at least, ought to be able to see that it was necessary to educate their children, unto whom they proposed in time

to pass the Government and the destinies of the country. He then considered in all its bearings the objection made to popular education by a certain class of thinkers—those who maintained that it would render the common people unfit for their station and discontented with it, and showed the absurdity of this proposition, and illustrated the advantage, to a wise and upright Government, of having intelligent citizens. He asserted that no pure religion could co-exist with this popular ignorance—that the want of mental discipline caused an inaptitude to receive religious information, and exemplified its truth by many striking examples.

From all these views on the subject of the disadvantages of ignorance and the evils and miseries it had entailed on mankind in the past, he went on to a practical examination of the subject of free Schools in Virginia, and maintained, That it was the interest of every member of the nation that every other member should be educated. Those who declared that a tax for this purpose was a hardship on those who had no children, forgot that a greater hardship would fall to their share if they did not educate the youth of the land, namely, that of keeping up jails, penitentiaries, guards, criminal judges, and the like. If education spread abroad, morality would also spread, and these concomitants of crime would not be needed. The money thus expended among an ignorant and vicious population would, in an enlightened community, go to construct roads, railways, bridges, canals, and other useful works.

Many men believed that education and morality had no connection with one another, but he held the opposite opinion. If it were false that education improves the morals, why does any father desire to educate his sons and daughters? If his educated children were the better for it, would not all be improved by it? If it were not a good thing, why are school-houses, colleges, universities rising every where over the land? But it was true that education improved, refined, and elevated the morals of a people, and where we found a college, there was a church, whence a divine morality was diffused. But, he said, education meant moral as well as intellectual development, and, in any system which might be adopted, he would advocate the study of the Holy Scriptures in the schools. After dilating on these points, and declaring that after a boy was taught to read and write he was subjected to new and powerful moral influences, he proceeded to enter upon a more practical branch of the subject, namely, the greater security it gave us.

Under our system of government, he said, the people ruled. We may, in time, come to rejoice or lament that this is so. Suffrage is extending, the Government becoming more democratic, property has less influence, and numbers more and more weight. What is our duty? To prepare for the change by a system of universal instruction. Then universal suffrage might be a blessing. There was no folly an ignorant mass, armed with universal suffrage, might not perpetrate. People in this condition are easily imposed on. Dema-

gogues would take advantage of them, lead them astray to their own and the public detriment. France, he said, had been afflicted by such demagogues or fanatics, who asserted that all property should be held in common, and such pretended friends of the people had inflicted the deadliest wounds upon the prosperity and happiness of that great nation. A similar class in the north were making an effort to do the like in America. Only the unthinking could be deluded by their sophistry. Suppose it were in their power to vote themselves a farm to-day, might not the same power vote it away to-morrow? The only permanent basis of prosperity, comfort, and happiness for any people, is in the knowledge possessed by each one of his duties as well as his rights, and the perfect security of both person and property. In matters of government as in personal concern, justice and right are always wisdom; that is, nothing is truly advantageous, which is not truly just.

The fathers of our Government had asserted these principles. Jefferson said, "I prepared three bills for the revisal, proposing three distinct grades of education, reaching all classes: 1st, Elementary schools for all children generally, rich and poor. 2nd, Colleges for a middle degree of instruction, calculated for the common purposes of life. 3rd, A higher grade for teaching the sciences generally, and in their loftiest degree." "One provision of the elementary school bill was that the expenses of these schools should be borne by the inhabitants of the county, in proportion to their general

tax rates." I considered four of these bills (the school bill was one) as forming a system whereby a foundation would be laid for a Government truly republican. The people, by the bill for a general education, would be qualified to understand their rights, to maintain them, and to exercise with intelligence, their parts in self-government, and all this would be effected without the violation of a single natural right of any one individual citizen.

Education was, in his opinion, essential to the social and intellectual well-being of the people, and should command the immediate attention of the Legislature. Otherwise the extension of the suffrage would prove a worthless, nay a dangerous gift. Intelligence is the condition of freedom; and unless the enfranchised millions are rendered, by education, capable of exercising their right of voting with sense and judgment, the people would become the dupes, the victims of unprincipled demagogues.

He went on to declare that general education developes new sources of wealth and utility, else why has it grown into a maxim that "knowledge is power." The truth is, the more you multiply knowledge, the more you increase the aggregate power of a community. What vast sums had been added to the annual production of manufacturing countries by the spinning-jenny, the power-loom, the steam-engine, the railroad, and the numberless labour-saving machines of recent years. All this resulted from educated labour. The reason why the useful arts advanced so slowly for centuries,

was because the labour of the world was performed by ignorant men.

Further, he expressed the opinion that general education increased the value of property. There were several elements which entered into the value of property, especially of land, besides its productiveness, such as the virtue and quietness of the neighbouring community, its character for progressive improvement, etc., which makes it desirable as a residence. Many examples were adduced from the more prosperous of the northern and eastern States, first, to establish this proposition, and, after further remarks, to prove that general education diffused among all classes will be found to make the labour of the country more useful, and of course more valuable. He proceeded to say that universal education could only be brought about by general *contribution*; and that this might be effected by a broad system having due regard to the respective needs of various religious bodies.

There were four modes of educating a people. 1. Every parent should be left to provide instruction for his own children. 2. The Government may aid the more indigent alone. 3. The Government may give partial assistance to all. 4. The Government may provide, at the common expense, for the complete elementary instruction of all classes, saving the requirements of religious liberty without discrimination. He examined all these systems in detail, and declared his opinion in favour of the fourth. At this point he went into an estimate of its cost, and showed that it would be light.

Besides, he said, the free schools would not only be cheaper than others, but would be better. The teachers would be more highly trained, better paid, there would be a judicious classification of pupils, suitable apparatus such as black boards, globes, maps, prints, models, etc., to aid the teacher to explain and the scholar to understand. These schools, too, would be under a vigilant supervision, which would encourage the teachers and stimulate the pupils. He concluded his remarks by suggesting a plan of the proposed system, which it is not necessary to give.

Most readers will be ready to concede, I imagine, that the man who held such enlightened views with regard to education was fully worthy of his age, if not in advance of it.

CHAPTER XI.

Few readers, save those who are intimately acquainted with the practical working of popular elections in America, will be prepared for some of the details of this chapter. At the next election the young and gallant delegate for Roanoke and Botetourt was opposed by the radical party, which put in nomination an illiterate person by the name of Prichard. Colonel Peyton did not wish to come forward at this time. He he had already seen more than enough of political life, with its noisy ambition and its mean passions; a life so poor and base was unsuited to him. Of this he frankly informed his friends. These, however, urged him to serve another term with such pertinacity, upon the ground that he owed it to the country, that his disinclination was overcome. It was in a patriotic spirit alone that he yielded to their importunities—the spirit of Brutus which is thus expressed in the play of Julius Cæsar,

> What is it you would impart to me?
> If it be ought towards the general good,

> Set honour in one eye and death i' the other,
> And I will look on both indifferently:
> For, let the gods so speed me, as I love
> The name of honour more than I fear death.

It was not upon the cards, however, that this irreproachable gentleman—this modern Chevalier Bayard *sans peur et sans reproche*—should be allowed to walk over the course. During his absence from home in the discharge of his public duties, the metropolitan and provincial leaders of the party of Martin Van Buren, called in the parlance of the day the *Locofoco* or ultra-democratic party, had been in incubation, and hatched a plot. The manner in which this formidable plot was concocted, who beside Thomas Ritchie and Bowyer Miller were its chiefs, what class beyond demagogues took part in it, at what precise time and upon what signals it was to break out, need not be recounted. For our purpose it is sufficient to premise, that fearing the influence exerted against their party in the Assembly by Colonel Peyton, and the greater power he was destined to wield, if he continued in public life, it was determined by the *Magi*, in Richmond, acting in concert with the local ringleaders, to bring, if possible, his political career to an end. The party organ in Richmond, the *Enquirer* newspaper, edited by Thomas Ritchie, struck the first note, and the provincials lost no time in taking up the tune and raising the hue and cry in Roanoke. Ritchie was a veteran at this sort of thing. He had long enjoyed pre-eminence as the most wily of Southern editors, had so unremittingly and

successfuly pulled the wires and directed the machinery of Virginia Locofocoism that he was a pronounced Seer enjoying the soubriquet of "Father Ritchie." When he took snuff every Locofoco in the State was supposed to sneeze. This paternal bell-wether figured in the Richmond conclaves of the party and pointed out the road to success, and rarely was he mistaken as to the direction. In many respects he was an admirable guide and leader. He united in a remarkable manner the *fortiter in re* with the *suaviter in modo*. When he wished to carry a point he manœuvred with consummate skill. In his first essays he was as mild as last year's honey, spoke in dulcet strains. If his policy failed, this tune was quickly changed. He now uttered the harsh and authoritative language of a master, tried what virtue there was in stones. Success generally attended his strategy. If not, sad was the fate of his victim. If an honest and independant opponent closed his ears to his soft whispers, he was mercilessly put upon and hunted down. If an inexperienced member of his party ventured to think for himself, there was no greater crime at head-quarters, he soon learned what it was to run the gauntlet. He was warned by the *Enquirer* that an open enemy is better than a false friend, had a lecture upon a Judas, kiss, an essay upon sealing one's infamy, all the changes indeed, were rung upon his perfidy, his presumption, and rebellion. The whippers in-baited him in the legislative halls, denounced him in the streets, dogged him at his hotel—in a word, persecuted the miserable

wretch until, broken down in health and spirits, the contumacious bungler was only too glad to secure peace by an unconditional surrender, by a quiet return to his duty and allegiance. From such a contest with Father Ritchie the inexperienced member always retired a wiser and a sadder man. Indeed, he was generally wise enough to appear to relish his humble pie. He certainly always afterwards voted for his party, right or wrong, through thick and thin. When he had sufficiently expiated his offence the *Enquirer* gave him a cheerful pat upon the back, and, thus kept in countenance with his constituents the inexperienced member stood a chance of re-election, of becoming an experienced member.

Father Ritchie's watchful eye took in the entire State; he seemed universal in his knowledge of provincial affairs; his spirit pervaded, permeated, overspread our home politics far and wide. Whenever he saw a new star in the political firmament, a promising man rising up in the opposition his minions were set to work—first to win him over to the Locofoco party, if successful all was well—if not war was declared. Hostilities having thus commenced, nothing was neglected to make the war short, sharp, and decisive. Father Ritchie silenced the consciences of some of his tools, he had some under-strappers not altogether devoid of moral sense, by the assurance that all is fair in politics as in love and war. With the prescience of an old leader, he saw danger to ultra democracy in the rise of Col. Peyton. Could the young man be won over? Were his convictions strong?

these were the questions to be settled. Flattery was first tried, *the Enquirer* declaring that the delegate for Roanoke was without a rival among the young men of Virginia, that he was the worthy son of a noble sire, that he was a ripe scholar and trained statesman, had been brought up at the feet of Gamaliel, was on the highway to honour and fame, that but a single danger beset his path, namely Federalism, of this rock he must beware, from such feticism turn away. Let him, said the *Enquirer*, advocate, liberal principles, in other words turn Locofoco, then every honour and reward, was his which a grateful and admiring people could confer, etc., etc. It was of no avail. Father Ritchie then tried ridicule and abuse, talked of the overweening vanity of young men, the idle dreams of youth, and so-forth. Col. Peyton was proof against both; all the insinuating arts of the veteran, all his and his minions' violence could not shake the resolution, or corrupt the integrity of William Peyton; he was absolutely proof against every threat, as against all oily flattery, and taught the venerable Ritchie that there was at least one exception to the maxim with politicians, "that every man has his price." The *Enquirer* then turned to its old course of personally complimenting Col. Peyton, in order the more successfully to disguise the party movements and privately and industriously set on the beagles of Roanoke. It advised the whippers-in of the peril which threatened, and of the importance of defeating the Colonel. These orders had no sooner been issued than the pursuit commenced. The principal director and

driver on the occasion of these proceedings was *Bowyer Miller*, a young attorney, a candidate for practice in Fincastle. Miller was ambitious and slippery, not without a certain cleverness, and an adept at political intrigues. He was also an aspirant for office, a candidate for anything that "paid." Previous to Colonel Peyton's removal to the county, this provincial Machiavel had been considered by some, certainly considered himself, the most rising man in the district. When Colonel Peyton appeared, Miller and his clique sank into obscurity as stars disappear from the sky at sunrise. Nor was Father Ritchie ever able to do more for him as a reward for his services than to procure him a seat in the legislature, where he was a nobody and a nothing; absolutely without employment, unless Father Ritchie should wish some one's heels tripped up. In this case Miller was his right man, and in such feats he always found Bowyer equal to the occasion.

Were it consistent with the plan of this memoir, I could relate many curious episodes in the legislative career of Mr. Ritchie's henchman as recounted by the late *George Mayse*, of Bath County, who served with Colonel Peyton and Mr. Miller in the House of Delegates, and with the latter in the Constitutional Convention of 1850. Mr. Mayse was a thoroughly honest and conscientious man, a true patriot and warm friend of Colonel Peyton. He therefore felt and expressed no small disgust at the course of the *Enquirer* and Bowyer Miller towards his friend. According to Mr. Mayse, however, neither Father Ritchie nor Mr. Miller ever

played at any but a *double game*, or set their sails to catch any but a *side* wind.

Alive to the Colonel's personal popularity, these village politicians and pot-house demagogues resorted to every trick to compass their ends. They represented to the masses of their party that it was necessay to vote "early and often" against Peyton, however friendly their personal relations might be; that it would not be a vote against him individually, but against his Federal heresies, which they declared tended to monarchy. A vote, said they, against him is a shot in favour of constitutional principles—the basis alike of our model Republican Government and of the Locofoco party. In their heat they pronounced the "citadel of liberty" in danger, and they cried aloud beseeching all patriots to hasten to its defence. To the ignorant they protested that it was not a question of likes or dislikes, but altogether one between liberty and despotism. This worked well among the foreign element. Nothing else could draw this class from the Colonel's support, for many of these poor strangers remembered him as a benefactor when they came hungry and almost naked from abroad. It influenced the more ignorant natives also, and not another issue could, for he was the idol of the poor, by whom he was regarded as a brother and protector. Nor was it, said they, a question of voting for the wisest and best man. Oh, no! Were this the issue they too would vote for Peyton. In no sense, said these harpies, is it a matter of voting for men, but altogether one of voting for measures. "Measures not men," said

they, is our motto and ours are the only measures on which our Government can be administered without the destruction of all civil, religious and political liberty. In private they represented Colonel Peyton as an aristocrat, whose birth, education, and training allied him to the patrician element in society and the kingly principle in government, that, if elected, he and his party would labour to assimilate our institutions to those of Great Britain. If successful in this direction, the people, the *dear* people, would lose all which had been gained by the Revolution of 1776, and sink once more into the condition of serfs—Oldworld serfs. The fastnesses of the forests, the hollows of the mountains, the cellars and attics of the grog-shops were penetrated, ransacked, every bush beaten, every hole and corner reconnoitred to bring to the poll voters against him. Thus, ignorant, unsuspecting people, who had lived years in obscurity, and many of whom had never so much as heard his name were produced as plumpers against him. While the Locofoco's were thus employed, his friends were lulled by over confidence into a false security. They scorned and ridiculed the opposition as contemptible—too despicable to be noticed ; they contented themselves, denouncing it and its authors as demagogues engaged in dirty work which was disgraceful to the country. A meeting, however, was called of the Colonel's supporters, of the whole people indeed, at Salem, the county-town. This was attended by the county gentlemen *en masse* as well as by all classes. Colonel Peyton drove over, attended by his principal supporters and addressed the people in

a speech of such ability and eloquence that, if never before, now all opposition was supposed to be silenced. Mr. Prichard declined speaking, saying, "*He was no orator, but that when he told the people that he were a Locofoco straight out, and would vote through thick and thin for his party, whether right or wrong, they knew who their man was and where to find him.*" Mingled laughter, hisses, and drunken cheers greeted this enunciation of a purpose to "go it blind" as it was termed in the slang of the day, and respectable people dispersed to their homes, leaving the town to a considerable extent in the hands of an intoxicated rabble shouting for Pritchard and liberty. Gentlemen returned home satisfied that Colonel Peyton's election was certain beyond an accident, and a series of dinners took place in the county as a welcome to him on his return. These were kept up till the day of election. Meanwhile the Locofocos worked like beavers in the dark; frightened the timid by stories of returning despotism, bribed some by money and others by promises, and engaged many of those known to be certain voters for Peyton in business undertakings which were very profitable, but which these varlets took care should call them from the county on election day. Those who had conscientious scruples at the prospect of being absent were quieted by being told that the Colonel did not require their votes—that he would be elected by a tremendous majority. Many were thus gained over to their side through political cowardice, and others who were paid either by money or promises. Thus by one artifice or another, they succeeded on the day of

election in rolling up a majority for Mr. Prichard of *seven votes*. Colonel Peyton's friends were equally astonished and indignant at the result. They declared that it arose from unparalleled bribery and corruption, and they earnestly urged him to contest the election. He steadily declined all such importunities, harkened not to their counsel, declaring that he had consented to be a candidate, not to gratify any personal wishes, but solely to please his friends—his own tastes were for retirement. At their instance he had come forward; the scrutineers of the polls had declared his opponent elected, and with this verdict he should not attempt to interfere. Nor did he again refer to the election nor to the perfidious scheme by which he had been defeated. The pure and proud mind can never confide its wrongs to another, only its triumphs and its happiness.

It may be safely said, however, that he was ineffably disgusted with the excitement, intrigues, and corruption of our politics. Brief as was his public career, he had doubtless been long enough in the arena to be convinced that he who aspires to be the head of a party will find it more difficult to please his friends than to perplex his foes. That he must often act from false reasons which are weak, because he does not avow the true reasons which are strong. 'That it will be his lot to be forced on some occasions to give his consideration to the wealthy or the influential, although they may be in the wrong, and to withhold it from the energetic but necessitous, although they may be in the right. That there are moments when we must appear to sympathize,

not only with the fears of the brave, but also the follies of the wise. That he must often see some appearances that do not exist, to be blind to some that do. To be above others, he must condescend at times to be beneath himself, as the loftiest trees have the deepest roots. And without the keenest circumspection he will become conscious that his very rise will be his ruin. For a masked battery is more destructive than one that is in sight, and he will have more to dread from the secret envy of his own adherents than from the open hate of his adversaries. This envy will ever beset him, but, if determined to proceed in his career, he must not appear to suspect it. It will narrowly watch him, but he must not seem to perceive it. Even when he is anticipating all its effects, he must give no note of preparation, and in defending himself against it, he must conceal both his sword and his shield. Let him pursue success as his truest friend, and apply to confidence as his ablest counsellor. Subtract from a little great man all that he owes to opportunity and all that he owes to chance, all that he has gained by the wisdom of his friends and by the folly of his enemies, and our Brobdignag will often become a Lilliputian. I think it is Voltaire who observes, that it was very fortunate for Cromwell that he appeared upon the stage at the precise moment when the people were tired of kings, and as unfortunate for his son, Richard, that he had to make good his pretentions, at a moment when the people were equally tired of protectors.'

Having, as previously remarked, no taste for public

life under the conditions surrounding it in those days, no ambition to contest the palm with tricksters and demagogues and the "little great men" sent from the counties generally, through the influence of cross-road publicans and local demagogues, he returned to his estate with a firm determination, in accordance with the advice of Cato to his son, to pass the residue of his life in the real post of honour, the private station. His defeat, therefore, gave him the opportunity which he coveted. It may be added as a part of his history in this connection, that he was on many occasions, solicited to become a candidate for sundry offices. The principal men of that section of the State united in an effort to induce him to become a candidate for Congress. He declined all importunities, refused to give up the comforts of his home again. He only is a great man, says Steele, who can neglect the applause of the multitude, and enjoy himself independent of its favour. Most truly may it be said of this excellent man, that with him the rewards of virtue exceeded those of ambition. He sought to do good rather than be conspicuous. Notwithstanding this determination, to which he steadily adhered, he was brought forward by his friends in the Legislature, with whom the election rested, for the office of Governor of Virginia, and again for that of Senator in Congress. He would doubtless have been chosen for one or both of these positions, notwithstanding the intrigues of Father Ritchie, Bowyer, Miller, and others of the like feather, but for his persistent determination to refuse all such

distinctions and his eloquent advocacy of the claims of others to the very situations for which he himself was proposed.

The reader will doubtless agree with the author, that those upon whom honours are conferred are not always the most deserving, and that Colonel Peyton had little occasion to regret defeat. Wicked Hamon was promoted by Ahasuerus and all the king's servants that were in the king's gate, bowed to and reverenced him. Absalom, the rebellious son of David, stole the hearts of the men of Israel. Herod, arrayed in royal apparel, made a speech to the people, and they gave a shout, saying, "it is the voice of a God, and not of a man." But what was the end of these men? Hamon was hanged on the gibbet prepared for Mordecai; Absalom was slain by the darts of Joab, and Herod was eaten by worms, and died miserably. Mighty conquerors and their armies have covered themselves with glory. Ignorace has deified, and superstition worshipped them as gods; but had they met what they deserved, their names would have been handed down to posterity with infamy and disgrace. The fact is, the world does not always bestow honour upon real worth; hence the best of men seldom enjoy its smiles, or do so only for a time.

About this period the Governor of Virginia appointed him State proxy, to represent the interest of the Commonwealth in the meetings of the stock-holders of the James River and Kenawha Canal Company, a work by which it was sought to connect the waters of the Chesapeake and Ohio, and which originated with

Washington himself. This great work was already completed from Richmond to Lynchburg, a distance of between one and two hundred miles, receiving tolls to the extent of 800,000,00 dols. per annum. With his usual energy and fidelity to trusts imposed on him, he devoted himself, without pay, for years, to the judicious management of this company, attending all its meetings and writing all the annual reports of the board. The present (1873) secretary of that company, William Preston Munford, once said to the writer, that he did not know what the company would do without him, he was the life and soul of the whole undertaking.

Previous to the election of 1844, he was invited to prepare a preamble and resolutions embodying the principles of the Whig party, and in favour of the election of Henry Clay to the Presidency, to be submitted to a public meeting of the Whigs of Roanoke. This led to the following paper from his pen, setting forth the main principles of the party, and giving, in vigorous language, his opinion of the great Kentuckian Statesman. The preamble and resolutions were unanimously adopted. Mr. Clay subsequently became the candidate of the party, but was defeated. He had been too long identfied with the history of his country—was too good and great a man to answer the purposes of his party as a candidate.

The following is the first and an imperfect draught of Colonel Peyton's resolutions. It was found among some calcined rubbish, after the burning of his mansion in 1870.

WHIG MEETING IN ROANOKE.

The Whigs of Roanoke being assembled for the purpose of party organization, and especially with a view to forming themselves into a "Clay Club," deem the occasion suitable for announcing the leading principles on which they intend to conduct the coming Presidential contest.

Acting, as they trust, in harmony with the great body of the party throughout the union, they are anxious to secure the moral weight which is the just reward of elevated principles and ingenuous conduct. They wish to avoid all surreptitious measures of assault or defence, to come into battle openly and boldly, with their principles emblazoned upon every fold of their standards, thus inviting the scrutiny and defying the power of their opponents. A victory gained by fraud and deception would be valueless in their estimation, since it would destroy the public confidence in their integrity as a party, and jeopardize the popularity of the principles which they profess, and upon the ultimate ascendancy of which they conscientiously believe the stability and efficiency of our institutions depend. They anxiously desire a just exposition of the political creed of the opposite party, and a fair and honourable issue upon their conflicting principles. They are confident of success if they are thus met before the nation in a spirit of candour and fair dealing. They believe if they can prevail with their opponents to define their party faith clearly and unequivocally, and to stand

by it sincerely and honestly in every quarter of the Union without respect to the political prejudices of any locality, that there is sufficient patriotism, intelligence and enlightened self-interest among the people to insure their success. To warn the people from the rocks and quicksands of unrestrained and licentious democracy to the safe haven of well-regulated Republicanism. When the honest masses understand the spirit of Locofocoism abroad in the land, generating the most destructive moral and political principles, despoiling States of their credit, and thus weakening the obligations of common honesty between individuals; when they see one of the two parties of the country, identifing itself to a considerable extent with these lawless repudiators and unscrupulous "bond breakers," who, in the spirit of wild reform and mad innovation, trample under foot every precedent which time, experience, wisdom and patriotism have established; neither respecting the judgment of a Washington, nor the opinion of the pure and spotless patriots who assisted him in modelling our institutions and giving us a hope of enduring national existence and national glory, they believe that the sober and reflecting portion of the people will tremble for perpetuity of our Government, and will rally to its defence under the banner of our party whose name is the synonyme of constitutional liberty.

Not wishing in this hasty address to elaborate the views of the Whig party, but simply to announce the cardinal features of our political faith, leaving comment for future occasions, we declare,

I. That we are in favour of a NATIONAL BANK, being firmly convinced that all the industrial interests of the country, whether agricultural, commercial or manufacturing, depend for much of their prosperity upon a circulating medium of equal value in every part of our country, and in sufficient abundance to meet the necessities and convenience of trade.

II. We are in favour of a TARIFF, which while it affords a revenue sufficient to meet the wants of the Government economically administered, shall be so adjusted as to foster and cherish our infant manufactures, and at the same time awaken a design for reciprocity in foreign nations by the imposition of counteracting duties upon the productions of such of these as impose heavy burdens upon our principal exports, such as cotton and tobacco.

III. We are in favour of an equitable distribution of the proceeds arising from the sales of the PUBLIC LANDS among the several States, believing that the public domain is the rightful property of the States; as such we consider the authority exercised over these lands by the General Government as purely fiduciary, and that the terms of the trust precludes all the graduation schemes, and schemes of partial cession, which have been advocated at different times by the respective branches of the Democratic party. Relying upon the *customs* or impot dues as an abundant source of revenue for the support of the Government economically administered, we wish to divert from the National

Treasury this unnecessary and redundant tributary, and pour its rich blessings into the more legitimate State channels, where it will diffuse countless benefits in restoring their shattered credit, in providing the means of general education, and in opening up new and enlarging old markets for the husbandman and manufacturer, by improving the means of intercommunication and developing the resources of our interior country.

IV. We are in favour of the ONE TERM PRINCIPLE—we think experience has shewn in these degenerate days of the Republic, that lust of office is apt to swallow up all sentiments of public virtue, and that where the President is re-eligible his first term is often engrossed by disgraceful intrigues to secure a re-election, by the disgusting scenes of official profligacy, and by the shameless prostitution of offices of the highest responsibility to the unhallowed purposes of party. We think that destroying all hope of re-election would, by withdrawing the temptation, increase the chances of an independent and honourable administration of the General Government, a consummation most devoutly to be wished.

V. We are in favour of a thorough *reform* in the tone and spirit of the Government and its officers, to bring back the Washingtonian standard of official qualification, and to infuse into the Government that enlarged, liberal, and patriotic spirit which regulated the policy of that illustrious man, the

lustre of whose virtues defies the virulence of party, and who, standing up before posterity in the full proportions of his matchless wisdom and purity, challenges the world for an equal. Instead of bestowing offices, instituted for the public benefit, on unscrupulous Demagogues, as a reward of their sordid services, we would have them conferred on men of elevated principles and unquestionable qualifications—men who never forget that, "they have a country to serve while they have a party to obey."

VI. Finally, we are in favour of HENRY CLAY as our next President. In announcing our preference for this distinguished patriot and statesman, we feel a just pride in presenting to the consideration of our fellow citizens one whose virtues and services give him the highest claim to the first office in the gift of his countrymen. Imbued with a spirit at once bold, generous, acute, comprehensive in its grasp and brilliant in its conceptions, yet capable of the severest investigation and minutest detail; ennobled by a patriotism which diffuses itself over his whole country, rising in every exigency above all mere party considerations and sinking in the cause of his country all the conflicting prejudices and feelings of individuals and factions which jeopardize her honour or her welfare. Enriched with an experience long, active, conspicuous in its trials, embracing one of the most eventful periods of our history and identifying him with all the great and important

> measures which mark the era of his brilliant career! regulated by a judgment, subtle, profound, matured, and harmonizing with the principles of the Whig party; and finally, as a capital to crown this noble Corinthian column, sustained by a fidelity and fearlessness which can be relied on to enforce the principles we profess, we confidently recommend him to the American people for the first office within their gift, and as a worthy successor to the "Father of his country."

It is obvious from these resolutions that he had large and accurate information on political affairs; that he knew what was necessary to make a people great, prosperous, and respected. With what earnestness he denounces those miserable profligates who have brought American credit into disrepute, and made the name a reproach on many a Bourse by their "bond breaking," repudiating doctrines. To a man however in his station it would have been a real reproach to have remained ignorant of the history, laws, and constitution of his country—to have had no certain, well ascertained policy for her wise Government.

In the political affairs of this election, he took some part, making eloquent speeches in favour of Mr. Clay's election at Salem, Fincastle, Danville, Lynchbury, Richmond and other places, but he avoided those warm and angry debates, which are calculated only to inflame the passions and alienate parties. He endeavoured by cool and deliberate

disquisitions on politics to enlighten the minds of the people and lead them to a right judgment. He had too often seen the effects of ignorance, in leading the multitude astray in national affairs, not to exert himself to scatter its clouds. Under its influence, the best measures of public policy had often been condemned, and the worst obtained popular applause; the wisest and purest of our Statesmen had been ostracised, and a shallow and noisy race of demagogues foisted into office and loaded with honours. He laboured, therefore, earnestly to spread true knowledge abroad and dispel the mists of ignorance which overspread a portion of the people.

There are some men who appear great only while the splendour of rank, or the bustle of station dazzles the eyes of the spectators; others become magnified as they recede from the public view, and are seen like stars in the distant sky. Of this latter description was William Madison Peyton, a man with too much of the weakness of humanity to have altogether escaped censure; but whose memory is clear of any considerable stain.

Most interesting was it to see him in the retirement which now followed. Here he communed with his own heart, studied the Holy Scriptures, contemplated the works of creation, and formed plans of great usefulness. His mind was free to enter upon all these important subjects and it cannot be doubted that he calmly considered what he would do for his own kinsfolk, friends, and acquaintances, and also even for his enemies.

To a public-spirited man like himself, it is equally beyond doubt that he considered how he might best serve his country and the world. And none of us are without the power of doing something for others if so disposed. If we have wisdom, we can contrive for them; if wealth, we can supply their wants; if power, we can protect and advance them; and if piety and goodness predominate in our hearts, we can, and do, strive to lead them to God. Relatives claim our first care and attention. Are they poor, afflicted, despised, ignorant, or wicked? We should think how we may improve their circumstances, restore their health, redeem their character, inform their minds, or amend woes. Friends next claim our attention. Can we make them happier, more useful, or respectable? Next our acquaintances. They may not have served us; but that consideration should not prevent our benevolent plans to serve them—even our enemies, should share our good will. They have used us spitefully; let us try to do them good. The attempt will prove a blessing to us, and it may be also a blessing to them. In this spirit his retirement was spent, nor did he forget that his country had claims upon him. He thought how he might best serve its interests and promote its happiness—how eloquently the foregoing resolutions denounce repudiation and all bond breakers. He sought out plans of public utility, and exercised his influence to carry them into effect. In other words, without ostentation, noise, or boasting he endeavoured to do all the good he could. During his retreat he applied

himself to literary and scientific pursuits with as much earnest devotion as if his livelihood depended upon his success. He doubtless realized the force of the remark of Hamlet,

> What is a man,
> If his chief good, and market of his time,
> Be but to sleep and feed? a beast—no more.
> Sure he that made us with such large discourse
> Looking before and after, gave us not
> That capability and God-like reason
> To rest in us unused.

During his scientific studies and investigations he discovered that cannel coal, which had not previously been found in America, always existed in England in the region of bituminous coal. From this and other circumstances he argued that search would lead to its discovery in the bituminous coal fields of America. If so, it would be a most important discovery. Accordingly in the summer of 1845, he proceeded, in company with a few practical miners whom he hired for the purpose, to the coal beds of the Kenawha. The party spent some time in explorations and researches on the waters tributary to the Great Kenawha in the county of Boone, and the correctness of his judgment was shown, and his labours rewarded, by the discovery of probably the most extensive cannel coal field in the United States. His first discovery was at a point on the coal river, about thirty miles from its junction with the Great Kenawha. At sundry spots on the river between this point and the Kenawha he came upon other veins of

this mineral, varying from two to six feet in height and thickness. After these valuable findings of hidden wealth, he purchased 30,000 acres of this land and proceeded to develop the mineral resources of that region, with which important work he was occupied down to the period of the civil was in 1861. At the spot of his original discovery a town war laid out and in his honour called *Peytona,* which is now a flourishing place of business.

He also ascertained in his numerous experiments with this coal that it possessed a variety of useful and valuable properties. Among other things, that candles might be made from it, surpassing those of wax in hardness and beauty. Also that the tar products of this and the bituminous coal, decomposed by the oil of vitrol, yielded, among other valuable substances, one now called *paraffine,* resembling, when bleached and purified, wax or spermaceti; and that it burnt with a clear white flame, free from smoke. Since then this substance has become widely known the world over, and is largely used by all candle-making companies, though at first this and other results which he announced seemed more like the dream of a visionary, than the sober reasonings of a modern utilitarian philosopher. The magic of chemistry as applied by other distinguished American and European savans soon established the correctness of his theories. It is probable that he himself did not forsee the value of the conclusions he arrived at, which were certainly pregnant with important results. But it was impossible

that a man of his knowledge could direct his attention to such subjects without benefit arising therefrom.

During the period he was engaged in his mining operations he spent a hundred thousand dollars of his private means on the improvement of the coal river, seeking to make the stream navigable for steamers of considerable tonnage and thus to avoid trans-shipment of cargoes from the barges which left Peytona, on their arrival in the Kenawha. He had not succeeded to the extent of his wishes when the civil war put a stop to his operations. A New York company on the joint stock or limited liability principle, which had been organized in Wall Street under his auspices, continued through the war to work the mines upon a minor scale, and, as far as the disorganized condition of the labour and business affairs of the country would admit, to carry on the work for improving the navigation of the river.

The perserving energy with which he prosecuted his labours on the Coal River for many years, was the subject of general remark. The great improvement which took place in this remote part of the country in the manners and customs of the earlier inhabitants, in the roads and other means of communication, in the development of industry, and the enhancement in the value of property, the legitimate results of his operations, caused him to be considered as a public benefactor, and his name to be everywhere revered by the warm-hearted and affectionate mountaineers.

The fame he acquired by these operations, the

success which attended his practical pursuits recalls Sallust's remark upon Cato, that the less he coveted glory, the more he acquired it.

Several joint-stock companies were organized in New York under his auspices for working the Peytona mines, which are, in 1873, in successful operation. During one of his business visits to New York, in 1861, he addressed the letter embodied in the next chapter to his old friend Mr. Rives, on the subject of the deplorable political situation and the impending crisis.

CHAPTER XII.

In the Autumn of 1860, the United States Presidential election occured, an event ordinary enough in itself, but which became the cause, or at least the occasion, of one of the greatest political revolutions which have ever changed the fortunes of a nation. A revolution it was which overwhelmed the South with disasters, greater far than those which conquests bring about, but which in the slow progress of events has been succeeded by a gradual bettering of the condition of the subdued people, and also by the elevation of a servile race to a position of political equality with their former masters. Placed after centuries of servitude in this new position, for which they had had no preparation, it remains yet to be proved that the African race is endowed by nature with any great mental vigor or aptitude for intellectual labour and improvement, such as is requisite for those who are invested with the rights of freemen and the responsibility of self government.

The fear so long entertained by patriots that at some inauspicious moment a storm would arise in the South,

where the public mind was greatly excited by Northern hostility to the extension of slavery, and end by steeping the country in blood and ruin, appeared, in the autumn of 1860, about to be realized. The secession so long and repeatedly threatened by South Carolina, but which she had never seriously contemplated carrying out, seemed at last imminent. The incredulity with which those threats had been received by union men north and south; the ridicule lavished upon the so called "Chivalry men," who were accused of indulging in the frothy effusions of demagogues—in low tricks and bluster to keep up their credit and consequence, operating with their real grievances, had goaded the Carolinians to desperation. The people of the Palmetto State who had been so long upbraided for fickleness and perfidy, seemed at last ready for action, and a considerable portion of the South was prepared to follow their lead. The atmosphere was laden with electricity, the political sky overcast with clouds—the storm ready to burst upon the land. The immediate occasion of this breaking out of the public fury was the election of Mr. Lincoln to the Presidency. It does not belong to my plan to enter into the causes and consequences of this event. They are mentioned only in so far as they relate to, and bear upon, the subject of this sketch. Mr. Lincoln was chosen on 6th of November 1860, the vote standing thus,

For Abraham Lincoln, of Illinois, 189, all northern votes.

For John C. Breckenridge, of Kentucky, 72 southern votes.

For John Bell, of Tennessee, 39, divided.
For Stephen A Douglas, of Illinois, 12, divided.

The whole number of electors appointed to vote for President for the United States was then 303, of which a majority is 152. Mr. Lincoln was, therefore, declared elected, and on the 8th of the following February left his home in the West, for Washington. This event increased the southern excitement; anxiety and alarm thickened the gloom which hung over and paralysed trade, commerce and manufactures north and south. The well known political views of South Carolina filled the country with apprehensions. In 1830, that State attempted to nullify the laws of Congress, to remain in the Union and yet act independently of its authority, and a conflict between the State and Federal troops was averted only by the firmness of President Jackson and the moderation of General Winfield Scott. Again in 1850, at the period when the admission of California was under discussion, it was proposed in the Legislature of South Carolina that a "Southern Congress" should be convoked to initiate measures for the defence of the South. A crisis was averted, however, by the adoption of what was termed the "*Compromise Bill*" principally through the influence of Henry Clay, but, though South Carolina acquiesced, she was annoyed, discontented, irritated. All the angry feelings which prompted this course in 1850 were intensified by the result of the Presidential election of 1860. Accordingly, the Legislature called a State convention to take such steps as might be deemed

necessary to meet the crisis before the inauguration of the new President. This convention assembled at Columbia on the 17th of December, 1861, and after an exciting debate passed a formal Ordinance of Secession from the Union, in these words,

> "*We, the people of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, that the Ordinance adopted by us in Convention on the 23rd day of May, 1788, whereby the Constitution of the United States was ratified, and also all Acts and parts of Acts of the General Assembly of the State ratifying amendments of the said Constitution, are hereby repealed, and the Union now subsisting between South Carolina and the other States under the name of 'the United States of America,' is hereby dissolved.*"

The fatal plunge was thus taken, and how to avert the untold calamity it portended was the first object with all true patriots, especially of Virginians, whose State, in the event of hostilities, was to become "the Flanders of the war." It was natural that the Old Dominion should watch, with greater solicitude than any of her sister States, the progress of events in the South. Virginia contributed more largely than any of the original thirteen colonies to the formation of the Federal Union, in fact it was mainly her work, and her people were by a large majority still warmly attached to it and its traditions, yet, from identity of interest on the slave question, she felt the warmest sympathy with

the States of the South. All eyes were, therefore, now turned to the Old Dominion. Upon her course in great measure depended that of the so-called border States of Maryland, Kentucky, and Missouri. It rested with Virginia and these States to say whether war should or should not take place. Had these border States, with an aggregate population of 4,621,879 united in upholding the Union of their forefathers, the Cotton States, left in a hopeless minority, must have refused to enter upon the ruinous path taken by South Carolina. In this event the sober second thought of the gallant, but excitable, population of the Palmetto State would probably, a little later, have led to the repeal of the Ordinance of Secession. Harmony would thus have been restored. If the border States had presented an unbroken front to the North, the civil war would have been averted, or if not, the North, had she entered upon the task of coercion, must have been driven from the field defeated, and overthrown. In the border States, however, other counsels prevailed. Notwithstanding the earnest efforts of the influential Union party in each, it was found impossible to band the people together in support of a common cause. There was a fatal division of sentiment, and, while halting between two opinions, Maryland was overrun by Federal troops, and was thus hopelessly lost to the South, though many of her sons found their way into the Southern army, and served with credit through the war.*

* That General Lee himself believed that Maryland would have joined the Southern Confederacy, but for her occupation by Federal

Kentucky and Missouri fell away in the same manner. Virginia herself was divided into two hostile camps. The leaders of the secession party were Henry A. Wise, John Letcher, J. M. Masson, James Barbour, R. M. T. Hunter, William Ritchie, O. Jennings Wise, T. S. Bowcock, James Lyons, J. M. Daniels, Roger A. Pryor and others of less note. On the other hand, the leaders of the Conservative party were W. C. Rives, Robert E. Scott, Labal A. Early, W. B. Preston, Colonel W. M. Peyton, J. H. Gilmer, Alexander H. H. Stuart, John B. Baldwin, W. T. Willey, I. S. Carlile, John Lewis, S. Mc. D. Moore, I. M. Bolts, C. H. Lewis, Joseph Segar, Alexander Rives, J. J. Jackson, Peachy Gratton, and

forces, is apparent from the following Proclamation issued by him when he marched the army of northern Virginia into the State in 1862:—

Head Quarters, Army of Northern Virginia,
near Fredericktown, September 8th, 1862.

To the People of Maryland,

It is right that you should know the purpose that has brought the army under my command within the limits of your State, so far as that purpose concerns yourselves.

The people of the Confederate States have long watched with the deepest sympathy the wrongs and outrages that have been inflicted upon the citizens of a Commonwealth allied to the States of the South by the strongest social, political, and commercial ties, and reduced to the condition of a conquered province.

Under the pretence of supporting the Constitution, but in violation of its most valuable provisions, your citizens have been arrested and imprisoned, upon no charge, and contrary to all the forms of law.

A faithful and manly protest against this outrage, made by a venerable and illustrious Marylander, to whom in his better days no citizen appealed for right in vain, was treated with scorn and contempt.

The Government of your chief city has been usurped by armed strangers; your Legislature has been dissolved by the unlawful arrest of its members; freedom of the press and of speech has been suppressed;

others less familiar to the public. Virginia thus torn by faction was soon in arms against herself. Vain were the efforts of the Government at Richmond to maintain its authority in the north-western counties after the defeat of the confederate army under General Robert S. Garnett, and the unsuccessful campaigns in the Kenawha valley of Generals H. A. Wise and J. B. Floyd. The north-western counties and those on the Kenawha organized a new State under a provisional Government (June 11th 1861,) which was admitted into the Federal Union on the 31st of the following December.

In order to avert, if possible, a civil war among Virginians, such as that which soon raged among Kentuckians, Missourians, and Tennesseans, Colonel

words have been declared offences by an arbitrary decree of the Federal executive; and citizens ordered to be tried by military commissions for what they may dare to speak.

Believing that the people of Maryland possess a spirit too lofty to submit to such a Government, the people of the South have long wished to aid you in throwing off this foreign yoke, to enable you again to enjoy the inalienable rights of freemen, and restore the independence and sovereignty of your State.

In obedience to this wish, our army has come among you, and is prepared to assist you with the power of its arms in regaining the rights of which you have been so unjustly despoiled.

This, citizens of Maryland, is our mission so far as you are concerned. No restraint upon your free will is intended—no intimidation will be allowed, within the limits of this army at least. Marylanders shall once more enjoy their ancient freedom of thought and speech. We know no enemies among you, and will protect all of you in every opinion.

It is for you to decide your destiny freely and without constraint. This army will respect your choice, whatever it may be; and while the southern people will rejoice to welcome you to your natural position among them, they will only welcome you when you come of your own free will.

R. E. Lee, General Commanding.

Peyton addressed the letter which closes this chapter, and dated the 8th of January, 1861, to Mr. Rives, who gave it to the public through the daily papers and in pamphlet form. It was widely circulated as a political tract, and was everywhere read with deep interest, but the wise and moderate counsels it inculcated were unavailing. In the frenzied condition of the public mind his letter was but as a whisper in the ear of death, like the pilot's speaking trumpet, the sound of which is drowned by the howlings of the tempest.

On 7th of January, 1861, the Legislature of Virginia assembled in Richmond. Governor Letcher in his message stated that "all see, know, and feel that the danger is imminent, that all true patriots are exerting themselves to save the country from impending perils." He proposed that a convention of all the states should meet, and said "it is monstrous to see a government like ours destroyed merely because men cannot agree about a domestic institution. It becomes Virginia to be mindful of her own interests. A disruption is inevitable, and if two new confederations are to be formed, we must have the best guarantees before we can attach Virginia to either of them." He charged the state of affairs upon the Northern States and said upon them would rest the responsibility of disunion, if it occurred. He further declared that any attempt of Federal troops to pass through Virginia for the purpose of coercing a southern

State would be considered as an act of invasion, which would be repelled. He concluded by saying "Let New England and Western New York be sloughed off and ally themselves with Canada."

In the House of Delegates a committee was appointed and instructed to bring in a bill for assembling a State convention, and anti-coercion resolutions were passed. In these the House declared that any attempt to coerce a State would be resisted by Virginia. The State Convention met in Richmond, February 13th, and after a warm discussion on the 17th of April, passed an ordinance of secession, similar to that adopted by South Carolina. Thus the last hope of amicable adjustment perished, and all men, north and south, prepared for war, for that desolating war which soon followed and continued with unparalleled fury, down to the surrender of General Lee and the Confederate army on the 9th of April, 1865, at Appomatox Bridge.

The beginning of strife, says Solomon, is as the letting out of water, so continuous and persistent is the flow, so like to a mighty torrent, which overspreads and carries all before it, and so fraught with consequences as difficult to forecast as to avert.

The history of the war, which Colonel Peyton sought to prevent by his judicious and repeated appeals to the reason and feelings of the people of both north and south, illustrates in a remarkable manner the wise-man's saying. By that fratricidal strife more than half a continent was filled with mourning, and the wail of victims;

whole States, each greater in territorial extent than most European kingdoms, were laid waste, private property to an enormous amount was destroyed both by land and sea, passions, as terrific as ever raged in the human breast, welled up to the surface and spread like a volcanic eruption over the surface of society; humanitarians thirsted for human blood, the sacred office of the Christian ministry was prostituted to a wild and unreasoning fanaticism, and debt and taxation increased with portentous rapidity. But the most depressing feature of the struggle was the enormous expenditure of human life. Official reports show that upwards of a million of men perished on the field of battle, in the hospitals, and at their homes from wounds, or diseases contracted by exposure. And all of this was the result of a war, which however it might end, could cause no feelings of satisfaction or triumph to either party

When, however, war became inevitable, he embraced the Southern cause, and sacrificed his all to make it successful. Among his friends and fellow Virginians who entertained similar opinions and were drawn against their better judgment into the struggle, was General Robert E. Lee, who, in a letter addressed to his sister, dated "Arlington, Virginia, April 20th, 1861. said:

"The whole South is in a state of revolution, into which Virginia, after a long struggle, has been drawn, and, though I recognize no necessity for this state of things, and would have foreborne and pleaded to the end for redress of grievances, real or supposed, yet in my own person I had to meet the question, whether I should

take part against my native State. With all my devotion to the Union, and the feeling of loyalty and duty of an American citizen, I have not been able to make up my mind to raise my hand against my relatives, my children, my home. * * I know you will blame me, but you must think as kindly of me as you can, and believe that I have endeavoured to do what I thought right."*

What Lee's struggle of mind must have been at the time may be seen from the following passage in a letter sent by Mrs. Lee, December 1861, to a Union friend. She says "my husband has wept tears of blood over this terrible war, but he must, as a man of honour and a Virginian, share the destiny of his State, which has solemnly pronounced for independence."

LETTER FROM COLONEL WILLIAM MADISON PEYTON, TO HONOURABLE WILLIAM C. RIVES, ON THE PRESENT CRISIS.

INTRODUCTORY NOTE BY THE EDITOR OF THE "NEW YORK EXPRESS" (NEWSPAPER), IN WHICH COLONEL PEYTON'S LETTER ORIGINALLY APPEARED, TO THE SECOND PAMPHLET EDITION:—

"The spirited discussion which follows, upon the exciting questions of the country, has been most widely

* See p. 37 "Southern Generals, who they are, and what they have done." N. Y, 1873.

circulated, and read as an eloquent expression of the feelings and hopes of a large—of much the largest portion—of the American people. It is timely, earnest and unanswerable. The first issue of copies having been entirely exhausted, the author, at the request of many friends, in various parts of the country, has permitted a second edition to be brought out, to which some additional notes are appended. Could the views he has expressed in his letter to Mr. Rives have received their appropriate valuation and influence, the country would still continue its course of unexampled prosperity and happiness."

THE EDITOR.

New York, January 8th, 1861.

"My dear Sir,

"We are in the midst of a revolution, bloodless as yet, but no one feels assured that the rising sun will run its diurnal course before the pillars of our constitution will be covered with the blood of its citizens. An unholy crusade has been preached, and factious political combinations have been formed in the North, which are destructive of all fraternal feelings between the two sections, and utterly at war with a fair and equal administration of the Government. A deep and wide-spread dissatisfaction has thus been excited in the South, which has grown stronger and stronger, fiercer and fiercer, until at last it has culminated in one of the States loosing herself from the

moorings of the constitution, and committing her destiny to the perilous waves of Secession and Revolution. Other States are verging to the same path, and their leaders, almost with one voice, advocate the policy of precipitation and separate State action.

"'To precipitate the cotton States into revolution,' is a remark which traces its paternity to Mr. Yancy, the great leader of the disunion movement, and, whatever of wisdom or folly attaches to it, is his by indisputable title. It is certainly all the rage at present. You see it in relief on every newspaper, side by side with the 'irrepressible conflict,' and you hear it repeated by every flippant declaimer, whether on the stump or in the grog-shop, until, in spite of its objectionable character, it has become the Shibboleth of the South, and is cherished as a master-stroke of statesmanlike policy.

What better evidence can we have of the insane state of the public mind, than that the people should rally under a sentiment so monstrous and indefensible. For a people to 'precipitate themselves into revolution,' is like a maddened horse, who seizes the bit in his mouth, and rushes headlong over a precipice. Precipitancy never acknowledges the reins of reason, and hasty and impulsive action is always the sure harbinger of repentance and remorse. A great question, involving the fate of a Government and the happiness of millions, should certainly be approached carefully, considered calmly, determined cautiously, and with a full appreciation of the weighty issues and responsibilities involved.

"It is true, we have been grievously wronged by the unwarrantable and hostile interference with our domestic institutions by the fanatical portion of the North, and it is right that we should manifest our purpose of vindicating our rights, under the constitution. Common sense and common prudence would say, that, as disunion is a terrible alternative, a gulf of evils, which no man can fathom, we should first exhaust all constitutional means of redress, before we involve ourselves in universal destruction, by pulling down the pillars of our temple.

"The late elections, which resulted in favour of the Black Republican party, not because of their positive strength, but as the consequence of our divisions, has demonstrated that we have a great many warm and devoted friends in the North upon whom we can rely in any emergency. Recent developments have shown, too, that their ranks are rapidly gaining accessions from the moderate and conservative portion of the Republican party and justifies the opinion that the day is near at hand when they will be the dominant party, and exercise a controling influence. The issue which they have made, and upon which they stand, is the same which vitalizes the contest between the North and the South. When the reaction, which is now in such rapid progress, places their constitutional party in the ascendant, a conservative policy will be inaugurated, and the rights of the South will be recognized, and placed on a firm basis. They will concede all the guarantees we require and unite with us in

maintaining the constitution, and the laws made in pursuance of its provisions, in the true spirit of the instrument. Can it be otherwise with a party, which acknowledge such leaders as O'Conor, Dickinson, Hunt, Seymour, and Tillmore, and such organs as those bold defenders of our rights, the *Herald*, *Express*, *Journal of Commerce* and *Day-Book?* * If this is a just picture of the condition of things around and before us, what madness is it to destroy the fairest fabric of Government that God, in his providence, has ever vouchsafed to man! What plausible apology can be offered for such fatuity? In the Gulf States, I am aware, they have schooled themselves into the preposterous opinion that the Union is a galling yoke upon their necks, of which they should rid themselves, and that when freed from its restraints and impositions, they will advance in wealth, population, power and greatness, with a rapidity unparalleled in the history of the world. Without stopping to dissect this vainglorious and shallow opinion, or to point out the thousand impediments to the fruition of their golden visions, I would enquire if there is any respectable portion of the border Slave States of Virginia, Kentucky, Maryland, etc., who do not believe that all their dearest interests would be imperilled, and all the brightest hopes and most cherished memories blighted, by the dissolution of the Union. All who know

* To this list may be added the *Daily News*, the *Freeman's Journal*, *Staats Zeitung*, and numerous other weekly papers, all of whom have manifested a liberal and catholic spirit in this crisis of the country.

those States must admit that their response would be one of loyalty and devotion to the Union. They have too much sagacity and good sense, too much prudence and virtue and patriotism to be deluded by such hair brained nonsense. They have too much gratitude for the noble sacrifices of our Revolutionary fathers; they venerate too sincerely the immortal charter they bequeathed us, and they appreciate too highly the manifold blessings they have enjoyed under its auspices, to raise their parricidal hands for its destruction, until its provisions have been perverted into an insupportable tyranny, and all reasonable efforts to reform abuses have proved abortive.

"History has been strikingly said to be 'Philosophy teaching by example,' and I would ask if there is any more settled and indubitable axiom drawn from the political throes and convulsions of the world, than that a people should never overturn one Government until they see their way to a better? Any Government is better than anarchy. If there are evils in the system, they should be probed and healed. If there are grievances, they should strive to have them redressed. If there are deficiencies, they should labour to have them supplied. If there is tyranny, it should be curbed after the manner of the patriotic barons of our Fatherland at Runnymede; but never unnecessarily plunge the country into all the horrors of anarchy and civil war, with desolated hearths, decimated families, and the prostration of all interests, social, commercial, agricultural and religious.

"The probabilities are, that the States of our confede-

racy will never dissolve peaceably, and that whenever they do separate, they will tear apart violently. The ties which bind us together, are not of a character to be lightly and easily broken. Our common origin, our common language and institutions—with one exception—our common struggle in the Revolutionary contest, the joint inheritance of the glory which sheds itself over our past history, the pride universally felt in the growth and greatness of our country, and the cherished anticipation that the day is not distant when the United States will take precedence of all the nations of the earth—these constitute ties, which can only be severed as Alexander severed the gordian knot. It will never be done until the people are maddened by a sense of deep injury and driven headlong by feelings so exasperated as to be reckless of consequences. The cause of irritation, unless promptly arrested, will increase, and the spirit of resentment, retaliation and revenge will intensify with each new complaint, until at last violence will break the bonds of union, and blood will flow in just such profusion as the respective sections may deem sufficient to wash out the wrongs they have suffered. All constituted authority being broken down, all reverence for the past and respect for the present being swept away, revolution springs up as an indigenous plant, and seizing the charter of our liberties, rends it to pieces, and overturning the Government, inaugurates a reign of anarchy, bloodshed and civil war. Such is the goal to which we are travelling; such is the abyss to which we are hastening.

Indeed, we have reached the brink, and another step is destruction—another step and we precipitate ourselves into a gulf, the fathomless depths of which no eye is keen enough to discern.

"Now, it is undeniably true, that the Northern States are justly responsible for opening up those fountains of bitterness which flood the land with their poisonous waters. Fanatics, inspired by a demoniacal frenzy, co-operating with heartless demagogues and corrupt party organization, have succeeded, by a fortuitious concurrence of circumstances, in gaining a political ascendency in the North, and, profiting by a want of concert among the friends of the Constitution, have elected the candidate of their party to the Presidency.

"Upon the temporary and *transient* event (Lincoln's election) the South are thrown into the most violent state of excitement, and, in their indignation, swear that they will not submit to their defeat, but that they will dissolve all connection with a people who have manifested by this election a deliberate purpose to bring them into subjection, and inaugurate a policy which will undermine slavery. The objection is certainly well taken and the cause of discontent well founded, but the remedy proposed partakes a great deal more of passion than thought, more of violence than reason, more of chivalrous impulse than of statesman-like prudence and wisdom.

"The President was elected by a little over one-third of the votes polled, by a meagre plurality—and will come into power with his constitutional advisers in the

senate against him, so that he will be utterly powerless and unable to advance a single step in the administration of the Government, except at the will and pleasure of the defeated party. The rights of the South, whatever may be the disposition of the executive, are, for the present, perfectly protected. They occupy the vantage ground, and risk nothing in deliberate action. In this condition of things, she should have improved her advantage by constraining the action and policy of the executive.

"The occasion, too, would be most opportune to demand of the North a full and distinct recognition of the rights of the South, the abrogation of all unfriendly laws, and the final adjustment of all causes of complaint and difference. This course, taken with determined firmness, would have secured unanimity and concert of action throughout the South, and would have commanded the hearty approbation and co-operation of the noble body of patriotic citizens, who stood by us with unflinching courage in the late contest, and who polled more votes in our favour than the South gave themselves. Is it not reasonable to suppose that this policy would have been successful. If otherwise, then, when we had exhausted all constitutional means of redress, and time and circumstances had rendered more certain the fixed purpose of the Republican party to degrade and enslave us, to strip us of our just rights and maintain the control of the Government upon a sectional basis, the South would be prepared, upon such corroboration, with unbroken front, and with the

approbation of the civilized world, to demand the recognition of all their rights under the constitution, with such *ultimatum* as their wisdom might suggest.

"Whether that alternative should be war in the Union or out of it, it would be sustained with unanimity and alacrity by the whole South, backed in all probability by the great middle States, and New York, the great, national, conservative city of the Union.

"If there is any force or truth in this hypothesis, does it leave a single loophole to hang a doubt that a wise comprehension of the interests of the South requires them to pursue the course indicated? Some would condemn it as a Fabian policy, but such was the policy of Washington, and such will ever be the policy of those who think before they act, who ponder well on consequences before they provoke them, and who sound the depths of the ocean over which they are to sail, before they commit themselves to its waters.

"South Carolina, shutting her eyes to all prudential considerations, has adopted and avowed the opposite policy. Without consultation with her sister States, without co-operation, and almost without countenance from more than a minority of the Slave States, in disregard and contempt of the appeals and wishes of of those exposed and most aggrieved by northern inteference, she has thrown herself, with headlong impetuosity, into a labyrinth of inextricable difficulty, sundering and trampling under foot the golden chain which bound together our glorious Union, and complicating the unhappy controversy which agitates the

the country, so as to fill every patriot's heart with the utmost apprehensions for the issue. She makes no appeal to her erring and offending sisters. She gives no time or opportunity for reformation. She leaps with one bound to a rash resolve, and with equal haste to action. She spurns the advice of those who have a common interest with her, and flouts, through her organ, with most offensive presumption, the gallant old Commonwealth of Virginia, whose chivalry and patriotism, whose justice and prudence, whose steady valour and consummate wisdom, have been always illustrated by her sons, before whose historic renown Carolina always has and ever must 'pale her ineffectual fires.' [*See Note A.*]

"By this course Carolina weakens the cause of the South. She creates division among those who should be and who would be united under a wise conduct of their difficulties. She drives off our allies in the North, and, of course, strengthens the power we have to contend with. In fine, she attains nothing, and mars everything. She cures no evil; she redresses no grievance; she vindicates no right; she rights no wrong; but on the contrary, aggravates all her troubles, and complicates her difficulties, so as to defy their solution by the wisest heads. Folly, madness, and a reckless disregard of consequences, rule her counsels, and there is no telling what damage she may not do to herself and others in her unbridled fury. She may be likened in her dismemberment to a planet, which, by some disturbance of the forces that keep each orb in its proper sphere, is driven through space, impelled alone

in its eccentric movements by its internal fires, and endangering in its path the whole heavenly system. To be the tail to such a comet would be the hardest of fates. It would imply on the part of Virginia a want of self respect, a lack of proper pride, a painful degeneracy, and a demoralization, which ill comports with her past history.

"Without wasting more words in the discussion of the past, or criticising what is irrevocable, let us probe the issues as they exist, and lay them open to the core, that we may be the better enabled to apply such remedies as are necessary for the restoration of our afflicted Government. Virginia, whose interests are our especial object of consideration, and whose policy, by parity of reason, should be the policy of all the other border slaveholding States, is the oldest of them all, as she is also the most populous, and of greater territory.

"She stands in the centre of the confederacy, and represents in her staples the interests alike of the planter and the grain-grower, and not inconsiderably those of the grazier and manufacturer. She furnished the matchless hero who was a 'pillar of cloud by day and of fire by night,' in our struggle for freedom; she furnished the orator whose inspired eloquence thrilled the colonies with patriotic feeling; she furnished the genius which penned the Declaration of Independence; she furnished the civilian who was the chief architect of our constitution. Out of our loins sprang Kentucky, and her generosity gave to the Union the great Western States, extending from her border to the Mississippi.

In all the patriotic movements which initiated the revolution, in all the measures which marked its progress, in all the features which were stamped on our Charter of Union, and in the administration of the Government, she has exerted an influence beyond any other State. To love the Union, therefore, is with her most natural and almost inevitable.

"Under the constitution, Virginia has been prosperous, contented, and happy, her children have grown up with the idea that it was as sacred as the ark of the covenant, and that under its shadow we reposed in peace and security, and in the enjoyment of all rights and privileges consistent with the largest liberty. All were taught to revere it as the precious legacy of patriotism and wisdom, and to cling with filial devotion to the Union as the great palladium of their liberties. In the meantime, however, a cloud, which for a while was just visible above the northern horizon, scarcely exciting observation, has increased in size until it has spread itself like a pall over the political heavens, and awakened a feeling of distrust, anxiety, and apprehension for the safety of our institutions. A fanatical abolitionism, which feeds upon its own ravings and grows by what it feeds on, has adopted the pseudo-philosophy of the Jacobins, and by connecting themselves with corrupt party and political organizations, have acquired a political ascendency in so many of the non-slave-holding States, as to enable them, by the assistance of our divisions, to elevate their candidate to the presidency.

"This is certainly a condition of things well calculated to arouse the fears of the South, and prompt them to active efforts to avert the evil, and ward off threatened danger. All agree that the evil is serious and imminent, and that the measures for our protection should be taken without delay. Postponement, now that the attention of the whole nation is aroused to its consideration, would weaken our position, and we must face the tide of fanaticism, and arrest its further progress. In doing this it is the policy of all, and most obviously that of Virginia, and all others than the Gulf States, so to accomplish the desired result, as to leave our glorious Union intact, and its stars and stripes still floating over us as a united people.

"A great many plans have been suggested in and out of Congress, many of which would, doubtless, be acceptable to the great body of the nation, but none of which will satisfy the extremists. In the desire to please all, we offend all; and while the time of Congress is wasted in first one and then another abortive scheme, the disease is making fearful headway, and the never-to-be-recalled opportunity for healthful measures passes by. The face of the political heavens changes with every circuit of the sun, and measures which would have been efficacious on one day, have no virtue on the next. The constitutional means which, if exercised in season, would probably have been equal to the emergency, are of more questionable potency since the strategic movements at Charleston, and the impotent labors of the Senate and Congressional committees, have brought

the Government and the Carolinians into such a position that force must almost necessarily be employed. Should then all constitutional means be rejected as inadequate, let the middle States and the border Slave States unite together on some just and equitable basis which secures the slave-holding States all the guarantees required for the rendition of slaves, for the right of transit without molestation throughout the Union, and for equal privileges in the territories.

"The great central Union, embracing the heart and strength of the nation, its wealth, its population and its capital, would, by the happy working of the old constitution under new influences, by its rapid growth in all that constitutes national greatness, by its dignified and important position among the powers of the earth, by the contentment, the happiness and the prosperty of its law-and-order-loving and law-abiding citizens, be the admiration, as it would be the model Government of the world. Those States who in a moment of exacerbation, either from wrongs inflicted or passions and prejudices aroused, had withdrawn themselves from the confederacy, would soon have their follies cured by bitter experience; and feeling and comprehending the disadvantages of their position, they would easily seek annexation with us, and gladly embrace the basis fixed by us. Moreover, this consolidation of all the great central States, will serve to keep apart the belligerent extremes of New England and the Cotton States, and will furthermore effectually protect the middle States from the evils of anarchy and civil war. Nor need they

fear any serious contests with the States on their northern or southern borders, as their overwhelming superiority would shield them effectually.

"Virginia, in her exposed position as a border State, suffers severely, and complains bitterly of the wrongs inflicted upon her; but she cannot see how a separation from the Union will redress her grievances, increase her security, or fortify her rights. She cannot comprehend how the abrogation of all compacts for the preservation of our institutions, the breaking down of all judicial tribunals established for their protection, and the sundering of all the ties of patriotism, which must to some extent, stretch forth the arms of sympathy and justice to aid us, will add to our repose, quiet our apprehensions, or rid us of the vexatious annoyances the irritating controversies, or the flagrant abduction of our slaves, which now exist. On the contrary, she takes warning from the impunity and protection extended by Canada to our fugitives, and fairly concludes that separation would strengthen the abolition influence and power, and magnify and aggravate all the troubles which now disturb her as a member of the Confederacy.

"The dogma of peaceable constitutional secession, as claimed by the South, is a solecism, subversive of all just authority, and revolutionary of necessity. It denies to the Government the power of protecting and perpetuating itself, and converts what was intended to be a perfect union, to endure '*forever*,' into a rope of sand, to be separated by every disturbing cause. It impairs the political dignity and utterly destroys the financial

credit of the Government, weakening the force of all treaty stipulations and making it extremely difficult, if not impossible, for loans to be negotiated to meet the exigencies of the nation. Indeed, every fair and legitimate argument, abstractly considered, is conclusive against this doctrine.

"But the history of the formation of our Government sheds its full light upon it, there is no room left for argument, there is no obscurity in which ingenuity may grope for specious excuses without having its nakedness exposed. Without dwelling upon the fact, that the old Confederation was a bond of 'perpetual union,' and that our present constitution was intended to form a more 'perfect union,' the correspondence between the representatives of New York and Virginia is conclusive of the question. Mr. Hamilton suggests that New York will come into the Union, with the reservation that she shall have the privilege of leaving it, if it should not work to her satisfaction; to which Mr. Madison replies emphatically that this mode of adopting the Constitution has been mooted, and it was decided that it would invalidate the ratification, and that none could be received who did not accept the Constitution absolutely, unqualifiedly, and *forever*. This is certainly clear and explicit, and leaves nothing further to be said. Secession, then, is revolution, and Carolina, upon the theory of our Government, is in a State of revolt and rebellion—so will be all those States who follow in her footsteps. The right of coercion in the Government follows as a corollary. But it does not follow, by any means, that it will be

wise or judicious to exercise this right. From the peculiar structure of our Government, the issue is not exactly analogous to a rebellious province, as our States, in the formation of our Union, reserved a larger share of sovereignty, and preserved more completely the forms and appliances of an independent people than is found in the provinces of any other Government. Hence, when they secede or revolt, they present themselves with the dignity of a regular Government, which of itself gives power and respectability, and necessitates a great modification of the means to be employed to reduce them or win them back to their Constitutional obligations. [*See Note B.*]

"In the existing revolution, where one State openly defies the authority of the Constitution, and where a great many other States, from identity of interest, community of feeling, and the strongest sympathy, are ready, with the sound of the first Federal gun, to draw their swords and risk their lives and fortunes with Carolina. However much they may condemn her precipitancy, it would be madness to provoke a controversy which would only drench each section with blood, without bringing back the dissatisfied States. On the contrary while smoking cities and desolated fields would mark the devastating progress of the armies, a deep rooted and vindictive hostility would spring up from these bloody enactments, that would render a restoration of fraternal relations impossible.

"It is better, therefore, now that this dissatisfaction has grown to such magnitude, that the States which

have resolved on separation should be allowed to go in peace, and that all unnecessary causes of irritation should be avoided. This will leave the distracting questions which divide us, and which have produced this calamitous State of things, to be settled by the States which remain. Should they be satisfactorily adjusted, then the Government will move on as heretofore, winning for itself at every step, the applause and admiration of the world. The States, which in a moment of excitement, had left us, finding all the obnoxious weeds in our system pulled up, and having their feelings of irritation mollified by time and our forbearing policy, would in all probability, resume their position in our glorious galaxy of States. This, in my judgment, is the best solution of our difficulties, and the only mode of which I can conceive, to avert civil war and the dismemberment of our Union, with its flood of untold calamities.

"For the present, the public mind in the border Slave States is unfortunately captivated with the idea that a solution of all our troubles is to be found in the scheme of a general "break up" and "reconstruction" of the Union. But, with uplifted hands and an overflowing heart, I would warn my countrymen against this fatal delusion. We have all been taught from children to look upon the Union as too sacred to be profaned by the impiety that would pluck a single star from its firmament, or displace a single stone in the structure. Would you break down this reverence for our political temple?

"When, with ruthless vandalism, you have pulled down this honoured monument of the wisdom and virtues of your fathers, under whose shelter you have grown with unparalleled thrift in strength, intelligence, in wealth and power, in commerce, agriculture, manufactures, and science, until you are recognized as one of the greatest powers of the earth, do you flatter yourself that those who break this crystal goblet can mend it without marring its beauty? Do you think that the madness which undermines and demolishes the temple will be a safe reliance for its reconstruction? A cool judgment can only yield a negative response. An instinctive sense of the blessings flowing from our Union, which, with patriotic people, rises to a religious sentiment, gives it a charmed power, which exercises a most salutary influence upon their character and conduct. The respect, affection and reverence, which strike their roots in the heart of the people, and which entwine themselves around the pillars of a Government which has afforded them perfect security in the pursuit of happiness, which has opened wide the portals of human progress, by unmuzzling the press, untrammelling the conscience, and by making every citizen an active agent in the double character of sovereign and subject in its administration, thrown around it bulwarks for its defence and support, whose adamantine ramparts can never be scaled, until demoralization has sapped the foundations of public and private virtue.

"In overturning this Government, then, with the hope of constructing from the scattered elements a

better, do you not incur a fearful hazard? Is it reasonable to expect, in these days of degeneracy and party excess, a frame of Government more just, more liberal, more wise, better moulded to suit the diversified interests, to balance the conflicting views, and harmonize the disturbing elements of the different States and various sections, than that created by those intellectual Titans who achieved our liberties, and who gave us this Constitution, as the cap-sheaf of their patriotic labours?

"History lights up the past to little purpose, and experience enforces its lessons uselessly, if the people can be led to entertain any such fallacious hopes. Tear down this crowning work of heroes, chastened by a seven years' struggle of patriots, animated and inspired by a just and holy cause, of men who with boundless devotion, consecrated their all to accomplish the great work, and you will find it a labour of Sisyphus to return to the summit from which you have fallen. You will find that the age affords no anchor of hope and salvation to supply the place of the immortal father and founder of our Government.

"These conservative views are pressed the more earnestly from a conviction that the great body of the people desire to preserve and perpetuate the Union, if it can be done without a degrading sacrifice of their rights and honour, and that a patient, forbearing, determined policy on the part of the South, resolutely insisting on the full recognition of their rights under the Constitution, as set forth in the resolutions of Mr.

Crittenden, will be conceded and corroborated, by an amendment to the Constitution, making their recognition perpetual. Any plan, which will stay aggression, and give the 'sober second thought' of the people time to disabuse there minds, soothe their excited feelings, and calmly weigh the mighty consequences involved in their action, must have a happy tendency in adjusting all our difficulties. It is, of course, the obvious duty of every well-wisher to the perpetuity of the Union, to discountenance every measure which leads to collision. Let all pour oil upon the angry waves, and the ship of State may yet reach a safe anchorage.

"Twenty odd years since, you unfurled the banner of Conservatism, and I stood by your side in its defence; we have never hauled down that flag. It is the standard borne by the *juste milieu* of every nation when evoking order from anarchy. It represents truth, justice, moderation and courage; and if the nation should rally under its folds, it will be regenerated, fraternity will be restored, and the Constitution vindicated.

"I am, with sentiments of esteem,

"Yours truly,

"W. M. Peyton."

Note A.—Ten years since, (in 1851,) South Carolina, under one of her periodical excitements, was threatening secession, one of the most trusted and distinguished of her sons, the Hon. W. W. Boyce, addressed a protest against secession to the people of his State, in which was introduced the following

remark: "South Carolina cannot become a nation; God makes nations, not man; you cannot extemporize a nation out of South Carolina. It is simply impossible; we have not the resources. We could exist by tolerance—and what that tolerance would be, when we consider the present hostile spirit of the age to the institution of slavery, of which we would be looked upon as the peculiar exponent, all may readily imagine. I trust we never may look upon the painful and humiliating spectacle.

"From the weakness of our National Government, a feeling of insecurity would arise, and capital would take the alarm and leave us. But it may be said, let capital go. To this I reply that capital is the life-blood of a modern community, and in losing it, you lose the vitality of the State. Secession, separate Nationality, with all its burdens, is no remedy. It is no redress for the past, nor security for the future. It is only a magnificent sacrifice of the present, without in any wise gaining in the future. We are told, however, that it is resistance, and we must not submit to the late action of Congress. Now I would like to know which one of these measures we resist by secession? It is not the prohibition of slave-marts in the district of Columbia. It is not the purchase of Texas territory. It is certainly not the admission of California. Which aggression, then, do we resist by secession? These are all the recent aggressions which we resist now by secession. Secession, gallant as may be the spirit which prompts it, is only a new form of submission.

For the various reasons I have stated, I object, in as strong terms as I can, to the secession of South Carolina. Such is the intensity of my conviction upon the subject, that, if secession should take place—of which I have no idea, for I cannot believe in the existence of such a *stupendous madness*—I shall consider the institution of slavery as doomed, and that the Great God in our blindness has made us the instrument of its destruction."

Note B.—The advocates of secession claim that it is a reserved right, in the exercise of which a State may secede peaceably and constitutionally, without let or hindrance. It leads to a confusion of ideas to confound it with revolution. Revolution is a revolt, with a view to overturning the Government, by those who are its legitimate subjects, and who, from dissatisfaction, have combined to rid themselves of its yoke. Secession, as claimed, is an inherent and reserved State right—a simple, natural, peaceful dissolution of a compact or co-partnership, which is binding only so long as it may, in the judgment or caprice of the parties, be promotive of their interests.

That this right cannot co-exist with our nationality, is obvious. A nation is a body politic, presenting a consolidated front to the world, and so firmly knit together as to be able to preserve its integrity against any transient want of coherence in any of its parts.

It is not a mere union of independent nations bound by a treaty, but a solid, compact, national Government,

with all the great essential attributes of sovereignty, reaching and sheltering the humblest citizen in the remotest corner of its territory, Its national unity is manifested in its legislative, judicial, and executive functions—recognised everywhere as supreme within its sphere—and in its flag, which is unfurled upon the ramparts of every fort within its territorial limits, and which floats at the mast-head of every ship which leaves its ports. The world deals with us as a nation possessed of political unity. It is not competent for them to comprehend all the intricate workings of our internal and complex machinery. They only look to the externals, and, recognizing us as a nation possessed of the usual attributes of nationality, they hold us to all the responsibilities of such a relation.

Mr. Madison, who is the highest authority in regard to the Constitution, as he was the chief architect of it, says that our Government is, in some of its aspects, consolidated, and in others confederated. He says it was not formed by the Government of the component States as the Federal Government, for which it was substituted; nor was it formed by a majority of the people of the United States as a single community, in the manner of a consolidated Government. It was formed by the State—that is, by the people in each of the States, acting in their highest sovereign capacity, and formed, consequently, by the same authority which formed the State Constitutions. Being thus derived from the same source as the Constitutions of the States, it has within each State the same authority as the

constitution of the State, and is as much a constitution, in the strict sense of the term, within its prescribed sphere, as the costitution of the States are within their respective spheres; but with this essential and obvious difference, that being a compact among the States in their highest sovereign capacity, and constituting the people thereof one people, for certain purposes, it cannot be altered or annulled at the will of the States individually, as the constitution of the State may at its individual will. If this be sound reasoning, it is clear that we are a *nation*, and, within the limits of the constitution, one people. The constitution prescribes boundaries to our internal administration, but to the world we present a national face, by which alone we are known and recognized, whether it be in public loans, or treaty stipulations, in declaring war or concluding a peace.

During our late war with Great Britain, the New England States, under the pressure of the Embargo laws, which paralyzed all the leading interests of that portion of our country, became so dissatisfied with the burdens of the national policy, that she sent Delegates to the Hartford Convention, to consult as to the mode and manner of redress, and some of its members advanced the theory that they had a right to "Secede from the Union?" The mere intimation of such a purpose fired the whole nation with indignation, and the stigma of having been a member of the convention could never be effaced, but, like the mark of Cain, followed all its members through life. The Richmond

Enquirer, then under the able management of Mr. Ritchie, and commanding the confidence of the Democracy in the highest degree, commented upon the proposed movement in the following forcible terms:—

"No man, no association of one State, or set of States, has a right to withdraw from the Union, on its own account. The same power which knit us together, can unknit us; the same formality which formed the limits of the Union is necessary to dissolve it. The majority of the States which form the Union, must consult as to the withdrawal of any one branch of it. Until that consent has been obtained, any attempt to dissolve the Union, or distract the efficiency of its constitutional law, is *treason—treason to all intents and purposes.*"

The incongruity and absurdity of this doctrine is, perhaps, made more manifest by its practical workings; *e. g.* Louisiana was purchased from the French at a cost of 15,000,000 dols., and a dangerous stretch of Constitutional power. But the assumption of power was overlooked, and the debt cheerfully paid, to secure to the United States, and especially to the vast country growing up on the Mississippi and its tributaries, the navigation of the Mississippi and the command of its outlet to the Gulf. Now the doctrine of secession would sustain Louisiana, a mere infinitesimal portion of this great region, in seceding, and thus defeating the whole object of the purchase. Florida was purchased at a cost of 10,000,000 dols., and the Indians removed at a further cost of 40,000,000 dols. or 50,000,000 dols.

and now that she is able to stand on her feet, she would unceremoniously, under the doctrine of secession, walk out of the Union, without returning a dollar of what she has cost. Cuba we have proposed to purchase at a cost of 120,000,000 dols., because we view it as the key to the Gulf, into which is poured the vast trade floated down the Mississippi. Yet, under this doctrine, it would be admissible for Cuba to secede from the Union at her pleasure, and sell herself, if she pleased, to some other power. These instances constitute a sort of *reductio ad absurdum* of the whole doctrine. It is impossible that any people of half the sagacity of ours, would ever consent to make such extravagant purchases, unless they felt assured they were securing a hold on them, which could not be wrested against their will.

WILLIAM M. PEYTON.

The spirit in which the war, that Colonel Peyton so earnestly sought to avert, was waged, when it did occur, by at least a portion of the North against the South, may be conveniently referred to at this point and may be gathered from the address of Colonel Dahlgren to the officers and men composing his command in Virginia. Colonel Dahlgren was killed before reaching Richmond, and his troops dispersed. In his pocket the following orders were found :—

"*Head Quarters, Third Division, Cavalry Corps.*

" Officers and Men,

" You have been selected from brigades and regiments as a picked command to attempt a desperate undertaking—an undertaking, which, if successful, will write your names on the hearts of your countrymen in letters that can never be erased, and which will cause the prayers of your fellow-soldiers, now confined in loathsome prisons, to follow you and yours wherever you may go. We hope to release the prisoners from Belle Isle first, and having seen them fairly started, we will cross the James River into Richmond, destroy the bridges after us, and exhorting the released prisoners to destroy and burn the hateful city, will not allow the rebel leader, Davis, and his traitorous crew to escape. The prisoners must render great assistance, as you cannot leave your ranks too far, or become too much scattered, or you will be lost. Do not allow any personal gain to lead you off, which would only bring you to an ignominious death at the hands of citizens. Keep well together and obey orders strictly, and all will be well; but on no account scatter too far, for in union there is strength. With strict obedience to orders, and fearlessness in their execution, you will be sure to succeed. We will join the main force on the other side of the city, or perhaps meet them inside. Many of you may fall, but if there is any man here not willing to sacrifice his life in such a great and glorious undertaking, or who does not feel

capable of meeting the enemy in such a desperate fight as will follow, let him step out, and he may go hence to the arms of his sweetheart, and read of the braves who swept through the city of Richmond. We want no man who cannot feel sure of success in such a holy cause. We will have a desperate fight; but stand up to it when it does come, and all will be well. Ask the blessing of the Almighty, and do not fear the enemy.

U. Dahlgren, Colonel Commanding.

The following Special Orders were written on a similar sheet of paper, and on detached slips, the whole disclosing the diabolical plans of the leaders of the expedition:—

"Special Orders and Instructions.

"Guides and pioneers, with oakum, turpentine, and torpedoes, signal officer, quartermasters, commissaries, scouts and pickets, and men in rebel uniforms—these will remain on the north bank, and move down with the force on the south bank, not get ahead of them, and if the communication can be kept up without giving an alarm it must be done; but everything depends upon a surprise, and no one must be allowed to pass ahead of the column. Information must be gathered in regard to the crossings of the river, so that should we be repulsed on the south side, we will know where to recross at the nearest point.

"All mills must be burnt and the canals destroyed, and also everything which can be used by the rebels must be destroyed, including the boats on the river. Should a ferry boat be seized which can be worked, have it moved down. Keep the force on the south side posted of any important movement of the enemy, and in case of danger some of the scouts must swim the river and bring us information. As we approach the city, the party must take great care that they do not get ahead of the other party on the south side, and must conceal themselves and watch our movements. We will try and secure the bridge of the city, one mile from Belle Isle, and release the prisoners at the same time. If we do not succeed they must then dash down, and we will try to carry the bridge by storm, When necessary the men must be filed through the woods and along the river bank. The bridge once secured and the prisoners loose and over the river, the bridges will be burnt and the city destroyed.

"The men must be kept together and well in hand, and once in the city, *it must be destroyed, and Jeff Davis and his Cabinet killed.* Pioneers will go along with combustible materials,

"Everything on the canal and elsewhere of service to the rebels must be destroyed.

"As General Custer may follow me, be careful not to give a false alarm. The signal officer must be prepared to communicate at night by rockets, and in other things pertaining to his department. The quartermasters and commissaries must be on the look out for

their departments, and see that there are no delays on their account. The engineer officer will follow, and survey the road as we pass over it, etc. The pioneers must be prepared to construct a bridge or to destroy one. They must have plenty of oakum and turpentine for burning, which will be soaked and rolled into balls and be given to the men to burn when we get into the city. Torpedoes will only be used by the pioneers, for burning the main bridges, etc. They must be prepared to destroy the railroads.

"Men will branch off to the right with a few pioneers and destroy the bridges and railroads south of Richmond, and then join us at the city. They must be well prepared with torpedoes, etc.

"The line of Falling Creek is probably the best to march along, or as they approach the city, Good's Creek, so that no reinforcements can come upon any cars.

"No one must be allowed to pass ahead for fear of communicating news.

"Rejoin the command with all haste, and if cut off, cross the river above Richmond, and rejoin us. Men will stop at Bellona Arsenal and totally destroy it and everything else but hospitals; then follow on and rejoin the command at Richmond with all haste, and, if cut off, cross the river and rejoin us. As General Custer may follow me, be careful not to give a false alarm."

CHAPTER XIII.

After the secession of Virginia, (25th of April, 1861), Colonel Peyton, who had up to this time been detained by business in New York city, prepared to return to the South. The Federal authorities, however, were instructed to watch his movements and to arrest him if he attempted to leave the place. A friend of his informed him of the receipt in New York of orders to this effect from Washington. He heard the news, not without surprise, for up to this time he had taken no part in the revolution except to prevent it if possible, or if not, and it should come, to mitigate its severities. On enquiring of the Federal Marshal for the district of New York, as to the truth of the rumour, and, if true, the grounds upon which the Government based its action he had confirmation of its truth. He was consequently under surveillance, but was allowed to go at large. The Federal officer in New York was considerate enough to say that President Lincoln knew that he, Colonel Peyton, had committed no act of hostility to the Government, but was convinced that he would, if in the South again,

exert his influence on behalf of the Confederate States, with which Virginia had formed an alliance. Fearing this, the President had determined to prevent his return. "If the Government was wrong in this belief" continued the Marshal, "and Colonel Peyton would give his *parole* that he would not engage in the war against the Federal Government, or in any way, by word or action give aid and comfort to the South, he was instructed to take no further account of his movements." Colonel Peyton declined these terms and went immediately to live at the house of his old friend and fellow-countryman, Dr. J. Marion Sims, who had been for some years a resident of the city. Under his hospitable roof he remained some months, subjected to the annoyance of constant overlooking, but in no other way was he molested.

During this period he addressed the following, his second letter, to Mr. William C. Rives, which was published in the New York papers, and afterwards in pamphlet form.

The Editor of the *New York Journal*, introduced it with the following remarks :—

"When Virginia was considering the position that Commonwealth should assume in the existing dislocation of American affairs, and when the Convention of that State was about to assemble for the purpose, Colonel William M. Peyton, then resident temporarily in New York, addressed a letter to his old friend, William C. Rives, with whom he had so long and so honourably co-operated in Virginian politics. Colonel Peyton was so widely known for the broad, statesmanlike, cast of his

mind, and the unsullied generosity of his heart, and stood so eminently a representative of the Virginia school, moulded in association with the great men of our earliest national era, that his letter attracted unusual attention. It was reproduced, again and again, in the journals of different places, and also in pamphlet form. It presented the most solid arguments why Virginia should not link her fortunes, distinctively, with those of the cotton States, in their contemplated revolution.

"Events have hurried on. The second letter, here presented as a sequel to the former, is indicative and empathic, as showing how these events have forced the most wisely Conservative elements of the border States, and statesmen elsewhere, to recognize that the interests of political liberty, and of the sovereignty of freemen over their own forms of Government, require from Virginia and her sister States the repudiation of the perverted authority claimed by the Black Republican hordes of the North, in the abused name of Federal power.

"Friends of the American Union, as it was, and who desire, not party triumph, but the *common good*, have solicited Colonel Peyton to furnish a copy of this second letter for publication."

EDITOR.

COLONEL WILLIAM MADISON PEYTON'S SECOND LETTER TO MR. WM. C. RIVES.

"*New York, May 15th, 1861.*

"To the Hon. Wm. C. Rives, Virginia.

"My dear Sir,

"Since the publication of my letter addressed to you on the 8th of last January, the nation has been subjected to a Cæsarean operation, which has brought forth a revolution of giant proportions and defiant power. Surmises, conjectures, and vaticinations have given way to facts, and what was speculation then, is history now. The nation is filled with amazement at the portentous magnitude of the events by which it is environed. One by one, it has seen the pillars of their magnificent temple removed from its Southern side, until the structure has lost its balance and threatens to fall and crush in its ruins all who remain.

"These events have swept Southern men, who were distinguished as Union men, into a new position, from which they overlook the field of revolution. From this stand point, they find the picture changed in all its features, with entirely new lights and shadows, and opening up to them a plain and unmistakable path of duty, along which they think the instincts of patriotism conducts them unfailingly.

"As you are aware, the course adopted by Virginia was not in accordance with my judgment. I believed

that a Government, which recognized so dangerous a solecism as the right of secession, thereby admitting its want of power to enforce the laws, made in conformity with the charter of its being and authority, was so entirely emasculated of all the qualities which give force, vigour, and durability, as to be unworthy of support or respect from intelligent freemen. I thought it bad policy to countenance the heresy, by any, even equivocal action, lest in the future 'it might return to plague the inventors;' or prove to be as the homely old English adage expresses it, 'a chicken that would return to roost.'

"I think Virginia should have acted more wisely, more for her own honour and glory, and more for the ultimate good of all, if with her *prestige* as the great head of the Slave States, she had planted her foot upon the opening lid of this Pandora's box, and taken a position of *armed neutrality*. Surpassing the other Southern States in her resources, in population, extent of territory, in wealth, and in her slave interest; commanding, in a remarkable degree, the esteem and confidence of her sister States, North and South; exposed by her border position to serious evils, whether in or out of the Union; and being assured that her assumption of the position suggested, would be sustained by all the border Slave States, including Tennessee and North Carolina, it seemed to me that she would have consulted her own interests and those of the nation, if she had consolidated this great central power into an armed neutrality.

"She could then have dictated her own terms to the North and to the South; faith, justice, honour, would thus have been vindicated, and the glorious inheritance from our revolutionary fathers would have been rescued from the ruthless tramp of civil war and the wild confusion and scorching desolation of unbridled anarchy.

"But Virginia, in convention and at the polls, has decided differently, and that, with all her patriotic sons, ends the discussion of this, as well as all other questions upon which her citizens were divided before she resolved on revolution. [*See Note A.*]

"She strikes now for the independence of the Slave States, and, trampling under foot the olive branch she has borne so long and so patiently, and under so much discouragement, she boldly defies the Government, at Washington. That she takes this extreme step under circumstances of great aggravation, none can deny, as a short analytic review of recent events will make manifest:—

"*First.*—Mr. Lincoln was nominated for and elected to the Presidency, mainly, if not solely, on the ground of his hostility to slave institutions, having advocated openly the opinion, that the nation could not exist '*half slave and half free.*'

"*Second.*—He called to the first post in the cabinet the author of the '*irrepressible conflict*' dogma, and the acknowledged founder of the Black Republican party.

"*Third.*—He has filled all the important and unimportant posts of the Government, foreign and domestic, with those Ultra Republicans, who are

uncomprising in their warfare, and who have rendered themselves particularly obnoxious to the South.

Fourth.—He announced, in his inaugural, that the decisions of the Federal Judiciary had no binding force on the executive, and thus struck from the arm of the South the only shield of her rights which remained.

Fifth.—When efforts were made by patriotic, Union-loving members of Congress to heal our divisions and prevent the disruption of our Union, the *especial* friends of the administration, the radical republicans, persistently resisted all compromises, notwithstanding it was known that the adoption, in *good faith*, of the Crittenden resolutions would satisfy the South, with the exception perhaps of South Carolina, and this, too, in the face of the strongest evidence that the North would also acquiesce, if the people were allowed to express their sentiments.

Sixth.—When Virginia, in an anxious and ardent desire to harmonize our troubles and preserve the Union, proposed a peace Congress, to be composed of Delegates from all the States, the radical republicans, instead of co-operating with Virginia in an honest and sincere effort to compose and settle our quarrel, spared no opportunity of belittling and underating, and forestalling the patriotic purposes of Virginia and her sister border States. The moral effect of the action of the convention was thus destroyed and the hopes of its friends utterly disappointed.

Seventh.—When the Virginia convention was in session, composed, as it was, of an overwhelming

majority of Union men, and having just voted, two to one, against the doctrine of secession, the President, in disregard, if not in contempt of their efforts to devise some healing measures, issued his proclamation, calling for 75,000 men to suppress the insurrection.

"When this proclamation was officially announced, the Union men were confounded, and Virginia concluded that the administration had adopted the *ultima ratio*, because it was at heart opposed to a peaceful solution of difficulties upon any of the *bases* suggested, and that they were determined to coerce the South into submission to their construction of the constitution, as set forth in the Chicago platform. That this was a rational and just inference, all fair minds, in reviewing this synopsis, must admit; if so, however impolitic the course of Virginia may be deemed, its righteousness cannot be questioned.

"To be subjected to the rule of a Government which tramples the constitution under its feet at every step; a Government inaugurated by a power avowedly and deadly hostile to our institutions; administered by agents, at home and abroad, whose relations to the South have made their selection a burning insult; representing a party so overwhelmingly dominant in the North, that all the conservation which survives, is in chains too strong to be sundered; (certainly not, in time to save the Constitution from the ruthless invasion of lawless power;) is a political degradation, galling to the neck of freemen, and impossible to be borne.

"The Constitution of 1787, around which clusters so

many fond memories, and the love of which is so deeply fixed in the hearts of Virginians, came to us a monument of patriotism and wisdom, with three great branches of Government co-ordinate, but independent. One enacting laws in conformity with its provisions, another executing them, and the third adjudging the fact of the legal and constitutional exercise of these functions by the other two. It goes from us a regulator with its balance wheel destroyed; a ship, which has parted with its sheet anchor in a storm; a charter, perverted from an ægis of protection to an instrument of mischief and tyranny, in which the binding force of the judiciary is ignored, and the emblematic sword, which justice wields in defence of right, is wrested from her hands by the combined power of the Executive and Legislature, and plunged directly through the vitals of the Constitution. It came to us a Government of checks and balances, in which the vicious tendencies of democratic license, as well as those of aristocratic pretention, were curbed by wholesome restraints. It goes from us, a purely popular Government, in which the Constitution is ignored, and the will of a party, as expressed through the President, is substituted. It came to us a benign Government, under whose wings were sheltered impartially, the whole brood of States. It goes from us an unnatural parent, who refuses shelter and protection to that portion of the brood whose generosity has kept them poor, while it has enriched those by whom they are now excluded. It came to us a legacy of self-sacrificing patriotism, stamped with the

approbation of the immortal father and founder of our liberties. It goes from us with its features so distorted by rude efforts to change their expression as to be unrecognizable by its friends, and stamped with the footprints of Lincoln and abolitionism, which have pressed with fearful force on its very vitals. It came to us baptized in the blood of the Revolution, endeared to us by a thousand sacred associations, and our fealty was heartfelt and without reservation. It goes from us besmeared, begrimed, and defiled by immersion in the dirty pools of Abolitionism, so that with this stain and odour upon it, none can touch or handle it without pollution.

"Against a Government thus perverted Virginia *rebels*, and it is the duty of her sons to give strength and force to her position by every means in their power. Her position will be a trying one, and will require all her force, moral, intellectual, and physical, to sustain her. He has read history to poor advantage, and labours under a lamentable ignorance of the work which will be carried out by this revolution, both North and South, who expects it to be a holiday frolic or a transient spasm, which one or two manly efforts will enable them to overcome. Nothing short of a total up heaval of society need be looked for; a social and political earthquake, which will involve in one common ruin all the industrial pursuits of life.

Virginia has generously strapped the burden upon her own shoulders, and should comprehend clearly the difficulties of the route over which she has to travel, if

she hopes to sustain herself without faltering and to get through her journey safely. She will be the Flanders of the contest. Her proximity to Washington; her border position; the revolt that will inevitably occur in the western portion of the State; her resources in money, men, and provisions, all conspire to make Virginia the chief seat of war. She will be obliged to make soldiers of all her citizens capable of bearing arms, and thus convert the State into one vast camp. The armies that will be assembled within her limits from the Confederate States and those of the invaders, will be quartered upon her to a great extent. The strategetic movements of these great armies, with their battles, will destroy, to a great extent, her public improvements. Desolation will follow in their train. The country will be blackened with fire and smoke. Want, misery, and destitution will rule the hour. Here, as elsewhere, the stern laws of necessity will infringe upon many of our cherised political sentiments. The freedom of speech will be stifled; the press will be muzzled; the *habeas corpus* will be suspended; private property will be appropriated arbitrarily, and all will find an apology and justification in the old Roman dictum, "*Inter arma leges silent.*"

"But in the midst of all this gloom and wretchedness, if Virginia is true to her ancient fame, her star will be in the ascendant, and her escutcheon, with its glorious motto, *(Sic Semper Tyrannis,)* will rise with renewed lustre from a baptism of suffering and glory. She will

be purged of corrupt politicians and will enter upon her new career wiser and better for experience.

Very truly yours,

W. M. Peyton.

Note A.—The great commoner of Kentucky, Henry Clay, and many other of our most distinguished Statesmen, held, that in a contest between the States and the general Government, allegiance was due to the latter. Now, whilst there is great plausibility in this view, abstractly considered, it is obviously one of those logical deductions which could never have any practical force in Government. When a republic of our Union unfurls the standard of revolution, as in the present instance, she presents herself before the world, not like a fragmentary district in a state of insurrection, without the machinery and features of consolidated action and rational responsibility, but with all the appliances and forms of a regular Government, to whose authority her citizens have always bowed in matters of separate State interest. Her power and her influence are a unit, within her limits and her means of enforcing her policy complete. Individual resistance would be ineffectual and inoperative. Those refusing obedience, would necessarily fall under the sword of the law, or be compelled to abandon their property and their homes, and to assume a position of hostile antagonism to their friends—perhaps their families and the soil of their nativity, containing the green graves of their fathers. To expect this of any people is preposterous,

and those who expect any frame of Government for the Union of these States, to awaken a sentiment of veneration deep enough and strong enough to undermine and destroy these feelings in the heart of a Virginian, will find all their calculations, in the moment of trial, like the fabled apples of the Dead Sea, turned to dust and ashes.

"Whatever may have been the opinions of her sons as to the wisdom of her policy, now that she has plunged into this sea of revolution, they will rally to her standard from all quarters, and whatever of energy, or talent, or fortune they may have, will be offered up freely for the support and defence of their blessed old mother.

"W. M. Peyton."

CHAPTER XIV.

From May till the latter part of the month of July, Colonel Peyton was under surveillance, the eyes of Argus, in New York. During this time he considered of different plans for effecting his escape. One attempt to cross the Atlantic to Europe, and thence return through Mexico and Texas, was frustrated, and he abandoned the idea of making another effort to reach home by this circuitous and uncertain route. While under the hospitable roof of his friend Dr. Sims, the long wished for opportunity occured. This was during the excitement and exultation of the Northen people, and consequent relaxation of vigilance, growing out of the Federal victory at Carrick's Ford, July 15. It must be remembered that in this North-western section of Virginia, there was great dissatisfaction with the action of the Government at Richmond, a strong feeling of attachment to the Federal Union, and it became a matter of no small importance to both parties, how its aid and adherence might be secured. The people are brave and sturdy, fond of war and the chase, and their

power would be immensely felt on whichever side exerted. The Confederate authorities, therefore, despatched a force to this region, in April and May, under command of Colonel G. H. Porterfield. This young and gallant, but inexperienced commander, occupied the town of Grafton, on the 26th of May, and soon allowed himself to be out-witted, out-manœuvred, and defeated by General McClellan. On the 29th a large Federal force crossed the Ohio under orders from General McClellan, and Colonel Porterfield without giving battle, retired 24 miles to Phillipi where his command was strengthened, and where he ill-advisedly determined to make a stand. Having once adopted the plan of retreat, he should have continued it until he was in a place of security. On the 2nd of June, the Confederates were surprised in their new quarters by an attack on their position led by Colonels Kelly and Dumont, who had marched 24 miles during the night, through rain and mud. At 4 o'clock on the morning of the 2nd, notwithstanding the rain, their artillery opened a destructive fire on the Confederate camp. Colonel Porterfield, unable in the confusion resulting from the surprise to rally his forces, ordered a second retreat to Laurel Hill, on the western slope of the Alleghanies. It was effected, but not in a well ordered manner, On the 7th of July, General McClellan, with 10,000 men, flushed with their successes, advanced on this position which was not assaulted, but there was skirmishing between the respective forces on the 7th, 8th, and 9th. The Confederate rear was now at Rich mountain, which

was held by Col Pegram, whose force consisted of 2000 men. Various movements now occured, the result of which was that the Confederate commander, seeing himself greatly outnumbered, commenced a third retreat, and on reaching Carrick's ford on the Cheat river, determined to make a stand. In this position, however, he was out-flanked and compelled again to retire. At another turn in the river, about a quarter of a mile below, the Confederates again attempted to stand. General Garnett, who had assumed command a few days before, while endeavouring to rally his men, was shot dead. The Confederate rout was now completed, and only 2000 men of the Southern army escaped. Colonel Pegram hearing of Garnett's defeat and death, surrendered his force at Beverly in these words :—

Beverly, July 12, 1861.

To the Commanding Officer of Northern Forces,
Beverly, Virginia.

Sir,

I write to state to you that I have, in consequence of the jaded and reduced condition of my command, most of them having been without food for two days, concluded, with the concurrence of a majority of my captains and field-officers, to surrender my command to you to-morrow as *prisoners of war*. I have only to add, I trust they will only receive at your hands such treatment as has been invariably shown to the Northern prisoners by the South.

I am, your obedient servant,

John Pegram,
Lieut.-Col. P.A.C.S. Commanding.

These great and unexpected successes of the Federal troops, which rendered it almost a certainty that at least one-third of the State of Virginia, with a population approximating half a million, would adhere to the Union, naturally created the wildest rapture in the Northern and Western States.

Colonel Peyton availed himself of the Northern saturnalia to leave New York, and the following day arrived on British territory, near Montreal, without having met with any annoyance, having travelled the entire way amidst bonfires, fireworks, sky-rockets, and other evidences of rejoicing. The whole North seemed intoxicated with gladness. From Canada he proceeded, notwithstanding his feeble health and an attack of the gout, to Toledo, in Ohio, and then southwards through that State and Indiana, and after numerous delays, arising from his weak condition, and the passage of troops and munitions to the seat of war, arrived in Kentucky. While journeying through Ohio and Indiana, the utmost circumspection became necessary to avoid recognition. The Virginian accent is markedly different from that of the Northern people, particularly those of New England, who have settled in large numbers in this part of the Federal Union. A Southern gentleman can therefore scarcely utter a word north of Mason's and Dixon's line, or the Ohio river, without his nationality, if I may so express myself, being known. He used the greatest discretion, however, cultivated silence, no doubt remembering how Peter was discovered to be a Galilean, "*Surely thou also art one of them: for thy speech betrayeth thee.*"

As he approached the theatre of active operations, his movements were more difficult, but in Kentucky he was among friends and sympathizers. By these he was concealed, and on favourable opportunities passed on, from place to place, until he reached the mountains of East Tennessee.

Tennessee was, at this period, in the midst of a domestic revolution or civil war among her own children. Immediately after the proclamation of the President, of the 15th of April, 1861, calling out 75,000 men, the excitement in this state was intense. The Governor Jsham G. Harris, immediately called an extra session of the legislature to meet on the 25th of that month. His Excellency at the same time refused to comply with the President's requisition and said in his answer to Hon. Simon Cameron, Secretary of War: "Tennessee will not furnish a man for purposes of coercion, but 50,000, if necessary, for the defence of our rights and those of our Southern brethren." At the same time an address written by Hon. Balie Peyton, was issued to the people, signed by the most eminent citizens of the State, namely Ex-Governor Neil, S. Brown, Russell Houston, the Hons. E. H. Ewing, Cave Johnson, John Bell, R. J. Meigs, S. D. Morgan, John S. Brien, Andrew Ewing, John H. Callender, and Colonel the Honorable Balie Peyton, in which they said:

"We unqualifiedly disapprove of secession, both as a constitutional right and as a remedy for existing evils, we equally condemn the policy of the Administration in

reference to the seceded States. But while we, without qualification, condemn the policy of coercion as calculated to dissolve the Union for ever, and to dissolve it in the blood of our fellow-citizens, and regard it as sufficent to justify the State in refusing her aid to the Government in its attempt to suppress the revolution in the seceded States, we do not think it her duty, considering her position in the Union, and in view of the great question of the peace of our distracted country, to take sides against the Government. Tennessee has wronged no State or citizen of the Union. She has violated the rights of no State, North or South. She has been loyal to all, when loyalty was due. She has not brought on this war by any act of her's. She has tried every means in her power to prevent it. She now stands ready to do anything within her reach to stop it. And she ought, as we think, to decline joining either party; for in so doing they would at once terminate her grand mission of peace-maker between the States and the general Government. Nay, more the almost inevitable result would be the transfer of the war within her own borders, the defeat of all hopes of reconciliation and the deluging of the State with the blood of her own people."

Affairs in Tennessee were in hopeless confusion—the war commenced in the State at an early period and was waged with the bitterest animosity. Two of Tennessee's favourite sons had been recently killed at the battle of Mill Spring, near her eastern frontier, July 19th, namely General Zollicoffer, commanding the Confederate forces

and his Chief of Staff, Captain Balie Peyton, jun., one of the most promising young men of his State, who, after a European education, commenced the practice of law at Nashville a few months previously to the opening of hostilities. Immediately after the President's proclamation he prepared for resistance. He had favoured secession, thus differing in opinion with his distinguished father, and volunteered at the first prospect of war for service in the army and was appointed Chief of Staff to the unfortunate Zollicoffer. He fell fighting in this, his first action, for the independence of this country. The loss of these two gallant soldiers, and by the hands of Southerners too, for they were said to have been shot by Union men enlisted in the 4th Kentucky regiment, Colonel Fry, contributed in no small degree to fan the flames of hatred created by the war.*

Colonel Peyton, therefore, found the greatest difficulty in passing through the Federal and Confederate lines, and was delayed several weeks until the movements of the opposing force, the Confederates under General Williams since the death of Zollicoffer and the Federal under General Thomas, opened the

* The author has been personally informed by David Bowen, a soldier in the 2nd Minesota regiment, Colonel Van Cleve, who was engaged in the battle of Mill Spring, that Captain Peyton killed, with his own hands, two Federal soldiers before he received his mortal wound. From his (Peyton's) body was taken the sword voted by the State of Louisiana to his father, Colonel Balie Peyton, for his gallant services in the Mexican War of 1845-1847. This sword, bearing upon the blade an inscription ordered by the State of Louisiana, is preserved among the Federal trophies of the war in the capital of the State of Minesota.

way for him. He finally succeeded in reaching his home in Virginia. During the war, his health was so shattered that he could render no personal assistance in the field. But he devoted his fortune to the cause, and, Demosthenes like, employed his time in writing spirit stirring appeals to the people. The sufferings of his wife and family, too, were at times great, resulting from the demands on the people for supplies for the support of the Confederate forces, and the wanton destruction caused by the marauding parties sent out by the Federal Army. In 1863 he and his family lived almost entirely upon the syrup of the sorghum cane and hominy made from bruised maize.

He was much affected in mind and heart by the progress of the war in which his kindred and friends were daily falling, and in which the people of the Confederacy were sacrificing all they possessed. A war, which it was soon clear to him, would end disastrously for the present generation of Southerners. It is thought that the cruel anxiety thus caused led to his premature death. Many of his early friends brought up in the same political school with himself, the companions of his youth, now that the South was subjugated, turned to and followed the triumphant North. This grieved him to the soul. To see his old friends wheeling into line for the North, as soon as the South was overcome, well nigh broke his heart. They leave the South, he said, because her fortunes have fled from her, and he quoted the affecting, but truthful lines of old Sir Henry Lee, when deserted by his faith-

ful mastiff. "There is a feeling in nature, affecting even the interest, as it is called, of dumb animals, which teaches them to fly from misfortune. The very deer will butt to death a sick or wounded buck from the herd; hurt a dog, and the whole kennel will fall on him and worry him; fishes devour their own kind when wounded with a spear; cut a rook's wing, or break its leg and the others will peck it to death."

The civil war had much divided families, and in various ways, and, after it was over, the murder of President Lincoln and the indiscreet manner in which his successor's friendship was shown, increased instead of diminished the rage of political hatred. The old ties of kindred and friendship did not regain their former influence, and the course of some of Colonel Peyton's friends and connections made a re-union of spirit and sentiment impossible. No one felt this state of things, so fatal to the kindly social relations which formerly existed in Virginia, more keenly than he.

After the war of 1865, he continued to reside on his Virginian estate, engaged in repairing the damage inflicted by the enemy, and deriving solace in his old age, from the society of such friends as survived, and of his books. He had little idea that the South would recover, in this day and generation, from the effects of the contest. When the war began, he was a man of large estate. At its close, when so many followers of the successful side were enriched that it gave rise to a new term by which they were designated,—the "Shoddy Aristocracy,"—he was so much impoverished

that his descendants have since been obliged to sell all of his estates.

Truly riches take to themselves wings. The still considerable means left him at the termination of hostilities were largely drawn on by his charities. Thousands were in a more reduced condition than himself, and to all he extended aid—was nobody's enemy but his own. His want of economy in money matters was constitutional. It is not surprising, therefore, after having kept "open house" for so many years, and assisted every one who applied to him in need, that he should leave the world oppressed with debt.

In a letter to the author, dated in Virginia, March 9, 1867, he says in regard to the political situation,

"The Reconstruction Bill, embracing the radical policy, has passed both Houses of Congress, been vetoed by the President, * and then passed over his head by a two thirds vote, so that it is now the law, and the Southern States placed under a provisional Government, in which martial law will prevail, and a General and his minions will ride over us 'booted and spurred.' The next and last step which fulfills our destiny, is confiscation, a bill for which is in the course of incubation and will be hatched in a few days. So you see, my brother, to what a foolish and most preposterous war has brought our once flourishing and happy country. There is no future for the present generation. All is dark, dismal, hopeless. Having sown in folly, we are

* Andrew Johnson.

reaping in bitterness, we have been victimized by shallow and designing politicians, who acquired an influence over the public sentiment through the madness of party altogether disproportioned to their ability or their patriotism. We have turned away from the steady and full-orbed light of Washington, to follow the *ignes fatui* of the poisonous pools of party, and very naturally find ourselves swamped and destroyed."

"I enclose you an elaborate letter from Governor Brown, of Georgia, which is very full, on the great question of reconstruction, and will give you all the information attainable. It gives a clear view of our miserable predicament and affords a striking example of the pitiable condition, to which even our leading men are reduced, when they are perpared to give us such advice. Governor Orr, of South Carolina, concurs in the main with these views and our Governor, of course. But I do not agree with them. I prefer a course of sullen, defiant obstinacy. I will never assist in forging the manacles which are to fetter me."

CHAPTER XV.

Quis desidero sit pudor aut modus
Tam cari capitis? Hor. od. 24. l.i.v.i.

On the afternoon of the 29th of January, 1868, a Virginian family residing on their estate in the valley between the Blue Ridge and Alleghanies, Montgomery county, were assembled in the drawing room, and gathered round the wood fire which sent forth jocund sparkles and cheerful rays of heat. At this early period of the new year, when even in our Southern climate "winter lingers in the lap of spring," the warm breath of the gentle season has not yet melted the snow that whitens the mountain peak and shrouds the early flower. The family group seemed anxious, restless. If they had met for their usual afternoon tea and conversation, something interfered with its smooth flow.

At a centre table sat an elderly gentleman turning the leaves of a book, facing his wife, about whom still lingered the traces of early beauty. She played with rather than plied her work. Several boys and girls made up the party. These afternoon reunions, when

the children were freed from the nursery and school-room, were usually sweet moments, in which the parents were wont to enjoy their domestic happiness, while consulting upon plans for the education and prospects of their offspring. From time to time, a fine boy, whose eyes bespoke a sound mind and whose rosy cheeks were graced with the sweet smile of innocence, ran to a window and looked down the long avenue of trees which lined the road leading to the mansion. It was evident that something was expected to approach by that smooth lawn road.

"What o'clock is it?" suddenly asked Mr. Eskridge, looking up from his book. "Half-past five," responded his wife.

"I must go out, some accident has befallen them," said he, "the carriage should have returned by three," and rising, he proceeded to draw on a fur overcoat.

"For heaven's sake do not expose yourself to such weather," exclaimed the wife, "with a cold and asthma, it may cause your death, consider that our fancy heightens the fear of danger."

At this moment Mr. Eskridge cast his eyes through the window and saw in the distance his large family coach, a most undemocratic vehicle, approaching. All care and anxiety was at once banished. The fears which had oppressed them were groundless. In a few minutes, when the vehicle arrived at the front door, the family was there to receive the expected guests. The first person who descended with difficulty from the carriage was a tall, handsome old man, much bent

with years, with snowy hair and beard; then followed his wife and grandchildren. Their friends rushed forward to embrace them, more after the fashion of lovers than mere friends. After their hurried, but warm embraces, they were conducted to the cheerful parlour, as the luggage was placed in the hall. While divesting themselves of their outer garments, the cause of their detention, which was simply a change of time in running the trains, was explained.

The venerable gentleman, who had arrived on a visit to his brother-in-law, Alexander P. Eskridge, was Colonel William M. Peyton. He was returning home from Abingdon, where he had gone to be with his son-in-law, Hon. Walter Preston, who was dangerously ill, and who died a few days after Colonel Peyton's arrival. Availing himself of the opportunity of passing near the estate of his friend and brother-in-law, Mr. Eskridge, who had years before married Juliet Taylor, sister of Mrs. Peyton, he had left the railway at the nearest station, where Mr. E.'s carriage, by previous arrangement waited to bring the party to his mansion.

Colonel Peyton was now in his sixty-third year, but from long sickness and much domestic trouble, (since the opening of the war he had lost, by death, a promising son, three daughters, and two sons-in-law), he appeared wasted, wan, and feeble, bore about him the signs of exhaustion which indicate premature decay. Though he was apparently without disease, it was evident to those who looked on him, that his strength,

was daily decreasing; that he was now but a ruin of humanity and spirit, a nobler ruin than ever painter depicted on canvas, or stone, or brick; the wreck of a man prematurely old, not stricken by great sorrow, not bowed by great toil, but fretted and mined away by daily, hourly excitements which ceaselessly do their gnome-like work. He seemed more than seventy, such was the silvery whiteness of his hair and beard, the latter unshorn and descending in silken masses to his waist. His eye, however, retained its peculiar brightness, and beamed with a gentle light difficult to be described, a smile played upon his lips, and he spoke even now with a cheerfulness, during which the lines of sadness almost disappeared from a face, which in repose bore sad evidences of the ravages of illness and care.

"Though old he still retain'd
His manly sense and energy of mind."

Two days had passed since the arrival of the guests—days during which they had talked over the past and the present. Living a long distance from each other, with no direct railway connecting their homes, these friendly visits were few and far between, and of course were more appreciated when they occurred. On the afternoon of the third day, while Mr. Eskridge was dressing for dinner, a servant ran to his room, exclaiming out of breath that Colonel Peyton, had been seized with a fainting fit. Mr. Eskridge hastened to the assistance of his unfortunate

friend, whom he found prostrate upon a sofa, to all appearance dead. His eyes were closed, his face flushed and swollen, the blood vessels about the neck and temples turgid. Understanding at once the serious nature of the attack, which he thought was apoplexy, a form of disease common to the Peyton family, and which had before threatened him, he despatched a servant across the country in quest of the nearest surgeon, while raising the sufferer's head and unloosening his neck-cloth. Then applying a ligature to each of his legs, to retard the motion of the blood from the lower extremities, he placed him in an easy position and awaited impatiently the surgeon's arrival.

At the end of two hours the doctor arrived, and found him suffering from an attack of sanguine apoplexy accompanied with paralysis of one entire side of the body. From the severe nature of the attack the surgeon said there was little hope of his recovery.

Mrs. Peyton, who stood by dumb with the weight of grief for a husband, who was her honour, and comfort, and never until that hour had been a sorrow to her, hearing this opinion, fell in speechless agony into a chair. She soon, however, recovered her selfpossession, and though torn by dreadful apprehensions, watched, with unremitting care, at his sick bed. From day to day her grief visibly increased, one tear after another coursed down her cheeks as she stood for hours by the sinking sufferer. They were those bitter tears which steal singly from our eyes, to let us taste the bitterness

of every solitary drop that trickles down our cheeks, not those salutary tears by which a kind Providence unburdens the heart and animates us with strength to bear new griefs. In a few days death released the sufferer, and the spirit of as true, as pure, as loving, and as brave a man as ever lived winged its way to the regions of the blessed: a soul who never indulged a passion unfit for the place he is gone to.

Where are now thy plans of justice, of truth, of honour? Of what use are the volumes thou hast collected, the arguments thou hast invented, the examples thou hast followed? Poor were the expectations of the studious, the modest, and the good, if the reward of their labours were only to be expected from man. No, my friend, thy intended pleadings, thy intended good offices to thy friends, thy intended services to thy country are already performed, as to thy concern in them, in His sight before whom the past, the present and future appear at one view. While others with thy talents were tormented with ambition, with vain glory, with envy, with emulation, how well didst thou turn thy mind to its own improvement in things out of the power of fortune; in probity, in integrity, in the practice and study of justice: how silent thy passage, how private thy journey, how glorious thy end. Many have I known more famous, some more shrewd, not one so innocent.

From a letter written to the author by one of his brothers-in-law, Colonel John B. Baldwin, dated in

Virginia, February 16, 1868, the following further particulars of this melancholy event are given:—

"We have received to-day a telegram announcing the death of your brother William, which occured this morning at the residence of his brother-in-law, Alexander P. Eskridge, in Montgomery county. Colonel Peyton had been with his wife in Abingdon, on a visit to his daughter, Mrs. Preston, whose husband died recently, as you have probably learned, and was on his return home, when stopping for a short visit at Mr. Eskridge's, he was attacked by paralysis, on Monday, 27th of January. The attack was so violent as to deprive him of the use of one side, and to render his speech wholly unintelligible for more than a week. After that time, he so far recovered consciousness and voice, as to be able to communicate with his family, all of whom were with him—but at no time from his first seizure was there the least hope of his recovery, or even of his living for more than a very few days. His death, following so soon after that of Mr. Preston, has, as you will understand, overwhelmed his family with a complication of sorrow, such as rarely falls upon one household. The condition of Susan's health and the pressure of my business engagements rendered it impossible for her to be with her brother in his illness—and I have never seen Susan more distressed and grieved than by the fact that she was so prevented."

"The death of the Colonel, as you may suppose, gives us all great distress, for we appreciated him as a

most noble and affectionate, as well as a high-toned and honourable gentlemen."

A week after his death his remains were consigned to the earth, after the manner of the country, in the private cemetery of his brother-in-law, but, as Joseph's bones were carried into Canaan after they had been embalmed 400 years, so his are destined to be removed, in time, to the family vault in Augusta, or at Stoney Hill.

Colonel Peyton's intellectual attainments would have entitled him to hold a high place in literature and science, for both of which he had so keen a relish, but Providence, in granting him an independent fortune, released him from that stern necessity for mental exertion by which so many of the greatest scholars have been formed. He had none of the training of the great master whose name is Adversity. Accordingly he devoted his attention while living, solely to those subjects which immediately interested him, and seemed to be of service to his kind, without any aspirations after posthumous fame. In his immediate sphere he sought quietly and unostentatiously to do good rather than by striking deeds to attract the attention of mankind, and win the fickle applause of the crowd. In this simple, unpretending way, departing, he has left behind

"Footprints on the sands of time."

The memoirs of such a man contain little to excite, and less to startle, but inasmuch as the example of a good man is of more value than the written precept,

may the writer not hope that he has conferred some benefit upon the public, in not permitting one of so pure a life, so exalted a character, and so enlightened a mind to descend to the grave without some record to do honour to his memory? A man whom he looked up to with no inferior veneration, not so much for his great learning and intellectual ability, as for his rare combination of unswerving justice tempered by the most gracious kindliness, of perfect unselfishness, animated by the most enlarged love of mankind. Of all the memories in our spiritual valhalla, that of William Madison Peyton stands pre-eminent for those qualities which have commanded our respect and inspired our personal attachment. Who that has had the privilege of not only observing the public course of our modern Aristides, but of sharing in the amenities of his private life, could wish anything better for himself, than that the spirit of his departed friend should be his own constant and life-long guide; so that whenever its close may arrive, he also may be deemed worthy of the eulogy so appropriately bestowed on him from the grand old words,

"The just shall be held in everlasting remembrance."

APPENDIX A.

ABRIDGED GENEALOGY, OR PEDIGREE,

OF THE

ANCIENT NOBLE FAMILY OF PEYTON.

The Peytons are, says Camden and other antiquarians and historians, descended from William de Malet, (de Graville) one of the great barons who accompanied *William I.* to the conquest of England. Malet rendered conspicuous service at the battle of Hastings, 14th of October, A.D., 1066, where he belonged to the cavalry, and was mace-bearer to Duke William. He afterwards distinguished himself in the subjugation of North Britain, and was reported slain with 3000 of his followers at the seige of York. This, however, is doubtful. Thierry, in his History of the Norman Conquest, Book iv., says, that the Danes spared the life of Malet, his

wife and family, and bore them away in their fleet.* Malet was Sheriff of Yorkshire, 3rd year of William I. and obtained many grants of Lordships and Manors from the Crown, as a recompense for his military services, as is recorded in *Doomsday Book*, which was completed, A.D., 1080. Among the estates he acquired thus were Sibton and Peyton Halls in Co. Suffolk.

The first of the family on record, who assumed the name of Peyton, according to the usage of the times, from Peyton in Stoke, Neyland, Co. of Suffolk, was,

REGINALD DE PEYTON,

second son of Walter, Lord of Sibton, younger brother of Malet, Sheriff of Yorkshire. This Reginald held the Lordships of Peyton Hall, in Ramshold and Boxford, in Suffolk, of Hugh de Bigod, who was sewer to Roger Bigod, Earl of Norfolk, and gave lands to the Monks of Thetford, to pray for the soul of Roger de Bigod. He had two sons—William, who held certain lands in Boxford, of the fee of the Abbey of St. Edmundsbury, as appears by charter of his nephew John, and,

JOHN DE PEYTON,

to whom King Stephen and his Cousin German, William de Cassineto, Lord of Horsford, granted all his lands in Peyton, to hold, as his ancestors before held the same. This John had four sons, viz.,

* See also "Saxon Chronicles," edited by Gibson, p. 174,, and "Orderic Vital," p. 512.

I. John (Sir), the elder.

II. Robert de Peyton, Lord of Ufford in Suffolk, and who assumed the surname of Ufford therefrom, and of whom presently,

III. Peter, Lord of Peyton Hall, who held lands in Romshot and Peyton in the time of King John.

IV. John, the younger, who sold to John, the eldest, all the lands which he had in Boxford, of the fee of St. Edmundsbury and Stoke Neyland, which their father John de Peyton. and William, their uncle formerly possessed.

ROBERT DE PEYTON,

second son of the foregoing John de Peyton, assumed the surname of Ufford from that Lordship and became Robert de Ufford, his son,

Sir Robert Peyton de Ufford was summoned to parliament as a baron by writ, dated 13th January, 1308, the 2nd of Edward II., and was created Earl of Suffolk, 16th March, 1337.

He was Lord Justice of Ireland in the reign of Henry III., and again in the reign of Edward I. He married Mary, widow of William de Lay, and dying in the 26th of the latter King, was succeeded by his son,

Sir Robert de Ufford, Knt., who was summoned to Parliament as a *Baron* from the 13th January, 1308, to 19th December, 1311. His Lordship was in the expedition made into Scotland, in the 34th Edward I. He married Cecily, one of the daughters and co-heirs

of Sir Robert de Valoines, Knt., Lord of Walsham, and had issue,

Robert, his successor.

Ralph, Justice of Ireland, in the reign of Edward III.

Edmund, (Sir), who assuming the surname of Walsham, from his mother's Lordship became *Sir Edmund Walsham*, and from him lineally descended—

John James Garbett Walsham, of Knill Court, in the County of Hereford, who was created a baronet on the 15th September, 1831. He died in 1316, and was succeeded by his eldest son,

ROBERT PEYTON DE UFFORD,

second baron, summoned to Parliament from 27th Jan., 1332, to 14th Jan., 1337. This nobleman was in the wars of Gascony in the reign of Edward II., and he obtained, in the begining of Edward III.'s reign in requital of his eminent services, a grant for life of the town and castle of Orford, in the county of Suffolk, and soon after further considerable territorial possessions, also by grant from the Crown, in consideration of the personal danger he had incurred in arresting, by the King's command, Mortimer, and some of his adherents, in the Castle of Nottingham. In the 11th year of the same reign, his lordship was solemnly advanced in the Parliament then held, to the dignity of Earl of Suffolk. Whereupon he was associated with William de Bohun, Earl of Northampton, and John Darcy, Steward of the

King's household, to treat with David Brees, of Scotland, touching a league of peace and amity. And the same year going beyond sea on the King's service, had an assignation of £300 out of the Exchequer, towards his expenses in that employment, which was in the wars of France; for it appears that he then accompanied the Earl of Derby, being with him at the battle of Cagart. After which time he was seldom out of some distinguished action. In the 12th Edward III., being in the expedition made into Flanders, he was the next year one of the Marshals when King Edward beseiged Cambray: and his Lordship, within a few years subsequently was actively engaged in the wars of Brittany. In the 17th of this reign, the Earl of Suffolk was deputed to the Court of Rome, there to treat in the presence of his Holiness, touching an amicable peace and accord between the English monarch and Philip de Valois, and he marched the same year with Henry of Lancaster, Earl of Derby, to the relief of Loughmaban Castle, then beseiged by the Scots. Soon after this, he was made Lord High Admiral of England, and commanded in person the King's whole fleet northward. For several years subsequently his Lordship was with King Edward in France, and he was one of the persons presented by that monarch with harness and other accoutrements for the tournament at Canterbury in the 22nd year of his reign. Seven years afterwards we find the Earl again in France, with the *Black Prince*; and at the celebrated *Battle of Poictiers*, so hardly fought and so gloriously won. In the following

year, his Lordship achieved the highest military renown by his skill as a leader, and his personal courage at the head of his troops. He was subsequently elected a Knight of the Garter. His Lordship married Margaret, daughter of Sir John Norwich, and had issue,

Robert, summoned to Parliament 25th of February, 1342, died in the life time of his father.

William, his successor.

Cecilie, married to William, Lord Willoughby d'Eresby.

Catherine, married to Robert, Lord Scales.

Margaret, married to William, Lord Ferrers of Groby.

The Earl's last testament bears date in 1368, and he died in the following year. Amongst other bequests, he leaves to his son, William, "the sword, wherewith the King begirt him. when he created him Earl; as also his bed, with the eagle entire, and his summer vestment, powdered with leopards." His Lordship was succeeded by his only surviving son,

William de Ufford, second Earl of Suffolk, who was summoned to parliament as a baron, in the lifetime of his father, on the 4th Dec., 1364, and 20th January, 1366. This nobleman was in the French wars at the close of Edward III.'s reign, and in the beginning of that of Richard II. In the 50th of Edward he was constituted Admiral of the King's whole fleet northward. At the breaking out of Jack Straw's insurrection, 4th Richard II., his Lordship understanding that the common people contemplated forcing him into their ranks, and thus to represent him as one of their leaders,

hastily arose from supper, and pursuing an unfrequented route, reached the King at St. Alban's with a wallet over his shoulder, under the assumed character of servant to Sir. Roger de Bois; but afterwards, being chosen by the Commons in Parliament assembled, to represent to the Lords certain matters of importance to the public welfare, the Earl, while ascending the steps of their Lordship's house, suddenly fell down dead, to the amazement and sorrow of all persons, rich and poor, on the 15th February, 1382. His Lordship married first, Joane, daughter of Edward de Montacute, and grand-daughter, maternally, of Thomas, of Brotherton, Earl of Norfolk, and secondly, Isabel, daughter of Thomas de Beauchamp, Earl of Warwick, and widow of John le Strange, of Blackmere, but having no issue, the *Earldom of Suffolk* became *extinct*, while the original *Barony of Ufford* fell into *abeyance*, between his sisters and heirs, [refer to children of Robert, first Earl,] as it still continues amongst their representatives.

Ufford—Baron Ufford.

(By writ of summons, dated 3rd April, 1360, 34 Edward III.)

RALPH PEYTON DE UFFORD,

brother of Robert, first Earl of Suffolk, having served in the wars of France and Flanders in the martial reign of Edward III., obtained large grants of land from that monarch, in the counties of Berks and Dorset. Subsequently (20th Edward III.) being justice of Ireland, we

are told, "he landed in that realm, with a great number of men-at-arms and archers." This distinguished person married, first, Maud, widow of William, Earl of Ulster, and sister of Henry Plantagenet, Earl of Lancaster, by whom he had an only daughter,

Maud, who married, Thomas de Vere, son of John de Vere, Earl of Oxford.

He married secondly, Eve, daughter and heiress of John de Clavering, and widow of Thomas de Audeley, by whom he had issue,

John, of whom presently.

Edmund, (Sir), who inherited the estates of the family, upon the decease of his brother. Sir Edmund married Sybil, daughter of Sir Robert Pierpont, and had issue.

Robert, (Sir), who married Eleanor, daughter of Sir Thomas Felton, Knt., and left issue, three daughters his co-heirs, viz,

Ella, married to Robert Rowes,

Sybil, a nun at Barking.

Joan, married to William Bowes, brother of Richard, and left one daughter and heiress,

Elizabeth, married to Sir Thomas, son of William, Lord Dacres,

Ralph de Ufford died in 1346, and was succeeded by his eldest son.

John de Ufford, who was summoned to parliament as Baron Ufford on the 3rd of April, 1360, but dying the following year, issueless, the dignity became *extinct*,

while his estates passed to his brother, Sir Edmond Ufford, Knt.

Sir John de Peyton to whom King Stephen granted all his lands, in Peyton, dying, was succeeded by his eldest son,

Sir John de Peyton, who was Lord of Peyton Hall, in Boxford, also possessed lands in Stoke Neyland, in Suffolk. He flourished under Henry III. as appears by a Catalogue of Knights in that reign, His wife was Matilda de Bueris, sister and heir of Symond de Notelle. By her he had three sons and one daughter, viz.,

John (his heir),

William,

James,

Agnes.

His eldest son Sir John de Peyton, Knt., served in the Parliament held at Westminister, 29th Edward I., as one of the Knts. of the shire for Suffolk. He was thrice married, and dying was succeeded by his son,

Sir Robert de Peyton, who in many of his evidences is styled Chavalier and Monsieur. He had two wives, first the lady Christiana de Apleton, widow of William de Apleton, and heir to lands in Hanall and Boxford, who died the 10th of Edward II. circa A.D. 1284, leaving no children, and was buried at Stoke Neyland, with great pomp, the funeral expenses being thus set down: fifty quarters of wheat £4 10s., one hogshead of wine £53 4s., four muttons 5 shillings each, eight bacon hogs 24 shillings, ten calves, etc. His second wife was Joan de Marney, of the noble family of the Marneys, of Layer Marney, in Essex, by whom there was issue,

Sir John De Peyton, (his heir),
William, from whom there was a release to his father
Robert, dated 13th Edward III.,
John, junior, to whom William Castelayne, John de Rickell, and others, granted the Manor of Beedles, Waldingfield, 5 Edward III.

The eldest son *Sir John de Peyton* married Margaret, daughter and co-heir of Sir John Gernon, Knt., of Lees, in Essex, Lord of Wicken, in Cambridgeshire, and of Barkwell, in the County of Derby, and in her right possessed the manor of Wicken, as in the 17th of Richard II. he, jointly with her, held part of the manor of Esthorpe, by the service of one Knt's. fee. He died in Richard's reign, his wife in 2nd Henry V. Their son and heir,

Sir John de Peyton, wedded Joan daughter and heir of Sir Hammond Sutton, of Wicksho, in the Co. of Suffolk, and thus that Estate came into the Peyton family. By her he had

John (his heir),
Thomas,
Robert,
Margery, who married Thomas Daubeny, Esq., of Sherrington, in Norfolk. He died 5th Henry IV., and was succeeded by his son,

Sir John de Peyton, then in minority. He married Grace, daughter of John Burgoyne, of Drayton, in the Co. of Cambridge, and had issue,

John (his heir),
Thomas,

Anne married to Jeffry Lockton,

He died in the flower of his age, 6th Oct., 4 Henry IV. and was succeeded by his eldest son,

Sir John de Peyton, who died a minor, 29 Oct., 11th Henry VI., and was succeeded by his brother,

Sir Thomas de Peyton, then 17 years of age, and seized of the manor of Esthorpe. His mother, Grace, dying the six of May, he was found heir to the manor of Messing, which was held of the Crown, as of the honour of Keynes, by the service of one Knight fee, also of the Manor of Binchall, and the Castle. Upon the feast of All Saints, 18th Henry VI., his age was proved at Cambridge, viz. 22 years, at which time it was sworn by John Welford, that he was born and baptised at Dry-Drayton, in that County, A.D. 1418, many agreeing in the verdict, among whom Robert Chapman alleged, that the day on which he was born, being the feast of St. Valentine, there was a great storm, one knew it by the great wind; another broke his leg by a fall from his horse; another for that his wife was buried; another, for then his lease was burnt: another for then his daughter Margaret was burnt; another fell from a tree and broke his arm; as the several jurors deposed upon their oaths. This Thomas was Sheriff of Cambridge and Huntingdon, 21st and 31st of Henry VI., and about the 17th of Edward IV.; he began to rebuild the Church at Isleham, agreeing then with John Waltham, alias Sudbury, freemason for the same; in the chancel of which church he lies interred, having a monument erected there to his

memory. He married first, Margaret, daughter and co-heir of Sir John Bernard, Knt., of Isleham; by that lady he acquired the Estate of Isleham, and had issue,

THOMAS, who married Joan, daughter of Sir James Calthorpe, of Norfolk, and thus acquired the manor of Calthorpe, with other lands in that county. He died before his father, leaving

ROBERT (Sir), heir to his grandfather.

JOHN.

EDWARD.

ELIZABETH, married to Edward Langley, of Knowlton, in Kent.

JANE, married to John Langley, of Lowleworth, in Cambridgeshire.

ANNE, married to John Asheby, of Harefield, in Middlesex,

DOROTHY.

His widow, Joan, married William Mauleverer.

MARGARET.

GRACE.

He married secondly, Margaret, daughter and co-heir of Sir Hugh Francis, of Giffords, in the County of Suffolk, widow of Thomas Garnish, of Kenton, in the same shire, and by her had two other sons, namely:

SIR CHRISTOPHER, who had great posessions in Wickhambrook and Bury. In the 12th of Henry of VIII. he was sheriff of the Counties of Cambridge and Huntingdon. He married a daughter of Leonard Hide, of Hide Hall, in Hertfordshire,

but died in the 15th of Henry VII. without issue.

Francis, of St. Edmondsbury, heir, was also of Coggeshall, in Essex. He married Elizabeth, daughter of Reginald Brook, of Aspallston Hall, in Suffolk, and had two sons, Edmund, the younger, who was Customer of Calais, left no issue. The elder son, Christopher of St. Edmondsbury, married Jane daughter of Thomas Mildmay, and had issue.

Thomas Peyton died 30th of July, 1484, and was succeeded by his grandson,

Sir Robert Peyton, of Isleham, who was Sheriff of the Counties of Cambridge and Huntingdon, in the 14th Henry VII. He married Elizabeth, daughter of Sir Robert Clere, of Ormesby, in Norfolk, and had issue,

Robert, (Sir), his heir.

John, (Sir), married Dorothy, daughter of Sir John Tyndall, Knt., of Hockwold, in Kent, and from him descended a distinguished line of the family, namely, the Peyton's of Knowlton and Doddington. One of whom was Sir Samuel Peyton, Knt. of Knowlton, and another Sir John Peyton, who was Lieutenant of the Tower of of London, and Govenor of the Island of Jersey, from 1603 to 1628, having been succeeded in that office by his son, Sir John Peyton, who held the post till 1633, Sir John died in 1630, aged 105 years according to an inscription on the monument of his Grand-daughter Mrs. Lowe, in Christ Church, Oxford.*

Inscription from Tomb, Christ Church Cathedral, Oxford.

Neere this place
Lyes buryed the body of Mrs. Alice Love,
Wife to Edward Love of Salisbury, in the County of Wilts, Gent.,
Master of the Choristers, and Organist of this Church,
By whom she had 9 children, 7 Boys and 2 Girls, 5 whereof lye buryed by her, ye other 4 survive.
She dyed in childbed of her 7th son, the 17th of March, 1678, ye 42 year of her age, and 18th since her marriage;
She was ye daughter of Sir John Peyton yé younger, of Doddington, in ye Isle of Ely, and County of Cambridge, and Knight, being ye first made by King James, at Edenburgh, after his being proclaimed by him King of England.
Her Grandfather, Sir John Peyton, was Knighted by Queen Elizabeth, for his service in ye field, in Ireland, and made her Treasurer in that Kingdom; after that Lieutenant of ye Tower, by ye space of 30 years; then Governor of Jersey above 30 years more, and dyed ye 105th year of his age, ye 4th of November, 1630.
Her Grandfather by her mother was Sir John Peyton, of Isleham, in ye countye of Cambridge, Baronett.

This Sir John was a man of strong mind and elegant manners, of extensive knowledge, and upright character, and governed Jersey wisely and temperately. "He was," to use the words of an old writer "educated after the politest manner of the age he lived in, by serving in the wars of Flanders, under the most able and experienced soldiers and politicians of that time."

Amidst the sunshine of a court, and the affluence of a large fortune, his conduct was so regular and temperate that his life was prolonged to the age of ninety-nine years, in so much health and vigour, that he rode on

horseback, hunting, three days before his death." * It is not necessary to our purpose to follow further this line of the family, which became extinct in the male line in 1683, on the death of *Sir Thomas Peyton*, who was a member of the first Parliament, after the Restoration, and who enjoyed a Government grant of £2,000 per annum. It is, however, in 1873, represented by Major-General Sir Thomas Peyton, Baronet, who succeeded his nephew, Captain Sir Algernon Peyton, Bart., on his death without issue in 1872. This baronetcy was revived in 1776, in favour of Henry Dashwood, who was, in the maternal line, a descendant of Sir Thomas Peyton, and also married his female representative, by whom he acquired large estates,

MARGARET, married to Francis Jenney, of Knotshall, in Suffolk.

ELIZABETH, married to Sir William Wigston, Knt. of Wolston, in Warwickshire.

He died in the 9th of Henry VIII. and was succeeded by his elder son,

Sir Robert Peyton, knt., who was Sheriff of the counties of Cambridge and Huntingdon in 17th and 27th Henry VIII., and accompanied that King to the seige of Balleyne. He was again Sheriff in the 1st of Queen Mary. He married Frances, daughter and heir of Frances Hassylden, of Little Chesterford, in Essex, and of Steeple Marden, in Cambridgeshire, and

* See Le Quesne's and Falle's History of Jersey, and Payne's Guide to the Island, also Hepworth Dixon's "Her Majesty's Tower."

in her right acquired these estates with other lands in the county of Rutland. By this lady (who founded the famous hospital at Isleham) had six sons and two daughters, viz.,

I. Sir Robert Peyton (his heir),

II. William,

III. Richard, of Little Chesterfield, in Essex, married Mary daughter of Leonard Hyde, of Hyde Hall in Herefordshire. She outlived him and married secondly Sir John Carey, Lord Hunsdon.

IV. Christopher,

V. Edward,

VI. John,

1. Catherine, who married M. Williams of Oxford.
2. Elizabeth, who married Thomas Wrenne, of Hinton in the Isle of Ely.

Sir Robert died 1st August, 1550, and was succeeded by his son *Sir Robert Peyton*, who was M. P. for Cambridge in the 4th and 5th of Queen Mary, and Sheriff of the united counties of Cambridge and Huntingdon, in the *9th of Elizabeth*. He received the honor of Knighthood from James I. at Royston in November 1608. He married Elizabeth, a daughter of Lord Chancellor Rich, and aunt of Robert Earl of Warwick and had issue,

Robert, who died unmarried,

I. John, (his heir),

II. Richard, who died without issue,

III. Mary, who married first Robert Balam, of Walsoken, in Norfolk, and second Sir Richard Cox, of Braham, in the Isle of Ely.

IV. Frances, who married John Hagar, of Bourne Castle, in Cambridgeshire.

V. Winfrede, married first, M. Osborne, Barrister-at-law, second M. Herefleet, of Kent, and third John Hornbye, of Linconshire.

He was succeeded by his eldest surviving son,

Sir John Peyton, of Isleham, in the County of Cambridge, who received the honour of Knighthood from King James I. He was Sheriff of Cambridge and Huntingdon, in the *25th of Elizabeth*, when he was Knighted for the Shire of the latter, as he was again in the first of James I. The next year he was again Sheriff. In the 9th year of the same reign he was created a *Baronet*, viz. on the *22nd of May, 1611*, on the institution of the order. Sir John married Alice, daughter of Sir Edward Osborne, Lord Mayor of London in 1585, and the founder of the family the Duke of Leeds; and by his said wife Alice had issue,

I. Edward, (Sir) his heir,

II. John, died without issue,

III. Robert, a distinguished scholar and Fellow of Queen's College, Oxford,

IV. Roger, who emigrated to America and was lost sight of,

V. William, of Wablingworth, married Tabithe daughter of Henry Payne, Esq., of Walthamstow and left two sons, John and William,

VI. Thomas, slain at Bourge, in Holland, while gallantly leading his forces into action.

VII. Anne, married to Sir Robert Bacon, Bart., of Riborough, in Norfolk, third son of Sir Nicholas Bacon, Bart., of Redgrave.

VIII. Alice, married to Sir John, son and heir of Sir John Peyton, of Doddington.

IX. Elizabeth, married to Sir Anthony Irby, Knt. of Boston in Lincolnshire, who was created Lord Boston.

X. Mary, married to Sir Roger Meers, Knt. of Hoghton, in Lincolnshire.

XI. Frances, died unmarried.

XII. Susan, died unmarried.

He died about the year 1617, and was succeeded by eldest son,

Sir Edward Peyton, who was Knighted at Whitehall, 4th February, 1610, and during the life-time of his father was denominated "of Great Bradley, in Suffolk." He served in Parliament from 18th of James I. to the 3rd of Charles the I. as one of the Knights of the Shire for the County of Cambridge, and was Custos Rotulorum there, of which office he was deprived by the influence of the Duke of Buckingham, "whereat he was so much disgusted, that he first drew his pen against the Court, and writ several pamphlets with great acrimony against Charles I. and the royalists." He subsequently sided with the Presbyterians in the great rebellion, and so impoverished himself in the cause, that he was obliged to sell Isleham, and, drawing his son into joining him,

sold the whole estate, with the reserve only of annuities during both their lives.

Sir Walter Scott, in his introduction to the secret history of the reign of James the I. by Sir Edward Peyton, as reprinted in 1811 by Ballantyne of Edinburgh, in his "Historical Memoirs of the Reign of Elizabeth and James," by Francis Osborne says, Sir Edward's property was plundered by both parties; for he complains in the following treatise,* that at Broadchock, in Wiltshire, four hundred pounds worth of his household stuff was seized by the Royalist garrison of Langford, which was never restored to him, although the place was afterwards taken by Cromwell. In short, as he could not, it would seem, serve his party very effectually, his attachment, as usually happens in such cases, did not save him from neglect and injury. At the close of the civil war, in which so many of the successful side had made their fortune, Sir Edward Peyton was so much impoverished, that he was obliged to sell Isleham, the ancient patrimony of his family. His eldest son, afterwards Sir John Peyton, was induced to join in the sale, reserving annuities for his father's life and his own. And thus this ancient family was totally ruined."

Sir Edward Peyton was of grave and serious character, strong religious convictions, and having long lived near Cromwell, in Cambridgeshire, imbibed many of his political opinions. They were personal friends, and Sir Edward very naturally exerted his influence in favour

* "The Divine catastrophe of The Kingly family of the house of Stuarts."

of the Commonwealth. It was his enthusiasm in this cause alone, which led to his financial ruin, and the removal of one of his grandsons to Virginia. For he was as far as possible removed in character from the roystering, gambling, hard-drinking gentlemen of the Dundreary type who flourished in the reigns of Mary and Elizabeth, men like the famous Earl of Carlisle, who in the early part of the era of the Stuarts, spent in a jovial life above £400,000, and left not a house nor an acre of land to be remembered by. A gentleman who at a later period was followed by another of infamous memory, Rochester, one of whose fits of intoxication is said, with brief interruptions, to have lasted five years. Sir Edward was the reverse of these gentlemen blackguards and gentlemen exquisites, was a regular, sincere, and straightforward man, an honest country gentleman—not blasé, roué, epuissé, or ennuyé of life, and never thought of advancing his own interests. Thus it is that while others waxed rich on public strife, he grew poor. It may not be uninteresting to mention that at the time he was made a Baronet, among other requisites required for this dignity, the recipient must have a clear income above all debts of £1,095, a year, and be able to claim descent from a grandfather who had borne arms and been under fire.

Sir Edward married first, Matilda, daughter of Robert Livesay, of Tooting, in Surrey, by whom he had,

John, (his heir),

Edward, in holy orders, who had three sons, Edward, Robert and Henry,

Robert, and one daughter,

Amey, married to Henry Lawrence, of St. Ives, in Huntingdonshire, and of St. Margaret's in the county of Hertford. He married secondly, Jane, daughter of Sir James Calthorp, knt. of Crockthorpe, in Norfolk (widow of Sir Henry Thomelthorpe, Knt.) and by that lady had one son,

Thomas, who married Elizabeth, daughter of Sir William Yelverton, of Rougham, in Norfolk, and dying in 1683, left four sons, William, of Dublin married Frances, daughter and co-heir of Sir Herbert Lunsford, Knt. by whom he had no male issue. He died in 1686.

Robert, of Isleham, Matthews Co., Virginia.*

"This young man," says B. Blundell, F.S.A. "a grand- of Sir Edward Peyton, like Ned Poins, a younger brother and a proper fellow of his hands, disdaining the life of a mere idle hanger-on to elder relatives scantily able to support themselves, resolved to try what his

* There is a tradition in the family in Virginia to the effect that shortly after his arrival in the Colony, when some distance up the river (James) on a shooting excursion, the waters of Virginia abounding in game and wild fowl, Robert Peyton and his companion were taken prisoners by a party of Indians, and conveyed to their headquarters in the interior. The Red-skins reduced them to a kind of slavery. Peyton's companion was carried off by fever within a few weeks. Solitary and alone in their hands, the young Englishman revolved plans of escape and finally accomplished his wishes. He appeared pleased with Indian life, exerted himself in war, the chase and in fishing, and entered with such spirit into their games that he won their confidence and friendship. The savage King adopted him into the tribe, then as a son, then advanced him to be a chief and finally indicated to his natural sons that they must give way to him as his, the King's successor. His life was now far from unpleasant, though he had to be constantly on guard to prevent being assassinated by the King's sons, who were to lose their inheritance through

long pedigree, backed by a bold heart and a clear intellect, could do in America, towards renovating his fortunes, and shortly after the Restoration emigrated to Virginia, circa 1665, where the young adventurer, inspired by that affectionate recollection of his native land which is one of the most prominent and praiseworthy traits in the character of our American cousins, gave his new domain, in Matthews county, the appellation of *Isleham*, born by the ancestral residence in his island home. Here his descendants flourished becoming opulent landholders, magistrates, and members of the Colonial Parliament."

Robert, who married in Virginia left among other issue,

Benjamin John Edward, who married and left one son,

Henry, born 1700, who married Miss Langley, daughter of Roger Langley and left one son,

his presence. He was provided with a wife, in the person of the daughter of a chief living in the south-west, and in close amity with his own tribe. A consolidation of the two tribes was thus thought feasible in the future.

His escape from captivity was thus effected. During the winter, an expedition, under the King, advanced against the Whites. When the Red-skins, after a long march through the forest, arrived in front of the Colonial settlements, Peyton availed himself of an opportunity when scouting to rejoin his countrymen. From his knowledge and position nothing would have been easier than to betray the whole savage force and deliver it up to the Whites. This he declined doing. On the contrary, when he was safe he sent an Indian boy to the savages with a warning to them to be off. The Indian King did not remain to receive a second intimation that he was on dangerous ground, but, like a wise man, returned the same night to a place of security.

JOHN, of Stafford Co., Virginia, born 1725, who married Elizabeth a daughter of John Rouse, and left issue,

JOHN ROUSE and VALENTINE, M.D.

John Rouse Peyton married Anne, daughter of Howson Howe, and left issue,

I. JOHN HOWE, (of Montgomery Hall) born April 27th, 1778, his successor, and of whom presently,

II. BERNARD PEYTON, a Captain in the U. S. Army, and afterwards Adjutant General of Virginia and President of the Board of Visitors of the Virginia Military Institute at Lexington. He married Amanda daughter of General Moses Green of Faquier, and left issue,

1. THOMAS, a Captain of Artillery in the Confederate Army, who married Catherine, daughter of the Right Rev. John Johns, Bishop of Virginia, and has issue.
2. GREEN, a Colonel in the Confederate Army, and, since the war, a professor in the University of Virginia. He married Champe, daughter of Dr. Charles Carter of Albemarle, and has issue.
3. BERNARD, who married Estelle, daughter of Dr. Tricon, of California, and has issue.
4. THOMAS, jun., a Major in the Confederate Army, who married a daughter of the Hon. Dabney Carr, late American Minister Plenipotentiary to Turkey, and a grand daughter of

Thomas Jefferson, 3rd President of the U. S. and has issue.

5. Susan, who married Major General W. B. Hagner, U. S. Army, and has no issue.
6. Amanda, married J. C. Washington, and has no issue.

III. Garnett, who married Agatha daughter of W. S. Madison, and left issue, but only one of his children married and had issue, viz., William, who married a daughter of William Munford, and has issue.

IV. Rouse or Rouze, who married, first, Ann Gallagher, and left issue: 1st Bernard, and 2nd Ann, who married Bronson Murray, of New York, and has issue. He married secondly, Eliza daughter of Col. J. B. Murray and left issue—one son, Hamilton, and three daughters, all married and with issue.

V. Lucy, married General Green, of Hopkinsville, Kentucky, and left issue.

VI. Ann Frances, who married Robert Green, but left no issue.

John Howe, of Montgomery Hall, married 1st Susan, daughter of William S. Madison, and by her left issue one son Colonel William M. Peyton the subject of the foregoing memoir, who married Elizabeth A. E. Taylor and left issue,

1 Elizabeth, who died in her 16th year unmarried.

2 John Howe, died in infancy.

3 Susan, who married Joseph H. White, and

then Col. Washington, and died without issue living by either husband.

4 William Allan, died of typhoid fever in his 14th year.

5 Garnett, married Walter Preston, and has issue, one son Peyton, and a daughter Sally.

6 Sally Preston, married Thomas C. Read, and left issue, one daughter, who married Dr. William Berkeley, a descendant of Sir Wm. Berkeley, Colonial Governor of Virginia.

7 Juliet, died in her 17th year unmarried.

8 Bernardine, married in 1872, Lewellyn, of Albemarle County, Virginia.

John H. Peyton, married secondly, Ann Montgomery, daughter of Major John Lewis, of the Sweet Springs, and left issue, at his death, which occurred at Montgomery Hall, 3rd of April, 1847.

I. *John Lewis*, born 15th of September, 1824, who married Henrietta E. C. daughter of Colonel John C. Washington, of County Lenoir, North-Carolina, a relative in the 4th Canonical degree to the illustrious Washington, and has issue, one son,

Lawrence Washington Howe, born in Guernsey, Channel Islands, 27th of January, 1872.

II. Yelverton Howe, born 8th of January 1838, and is in 1873, unmarried.

III. Susan Madison, married Col. J. B. Baldwin, a son of Judge B. G. Baldwin, and has no issue.

IV. Ann Montgomery, died unmarried.

V. Mary Preston married R. A. Gray, and has issue two sons, 1 Peyton, and 2 Baldwin, and daughters,

VI. Lucy married J. N. Hendren, and has issue one son Samuel and daughters,

VII. Elizabeth married Wm. Boys Telfair, of Ohio, and has issue two sons 1 William and 2nd Baldwin and daughters,

VIII. Margaret, married G. M. Cochrane, jun., and has issue, one son, George, and daughters.

IX. Virginia, married Col. J. F. Kent, and has issue one son Joseph,

X. Cornelia, married Dr. Thomas, and has issue two sons, 1 Peyton, 2 Baldwin,

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The Peyton arms, as in the visitation of Suffolk, Harl., A.D., 1560, are: quarterings,

1. sable, a cross, engrailed, *or*, for Peyton; 2. Gernon; 3. Colville; 4. Sutton; 5. Hassingborne; 6. Langley; 7. Atleze; 8. Atbridge; 9. Langley; 10. Francis; 11. Lucy; 12. Chamberlaine.

Crest—a Griffin, Sejant, *or*,

Motto—Patior, Potior:—*I labour, I secure.*

ISLEHAM HALL,

THE PRIORY AND CHURCH,

CO. CAMBRIDGE, ENGLAND.

EXTRACT FROM A MS ACCOUNT OF A VISIT TO ISLEHAM, IN 1870, BY THE AUTHOR OF THE FOREGOING MEMOIR.

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* * * *

The forenoon of the next day, the strangers, whom the reader will recognize as ourselves, were occupied examining Ely Cathedral, one of the most ornate and beautiful in England. The same afternoon we set forth in a gig for Isleham, across a region, commonly styled the "Fen Country," though *terra cotta* drainage has long since turned the swamp into the driest of dry land. This district is flat, monotonous and uninteresting. There is little in it to arouse and enlighten the imagination, or to inspire artistic genius. In our cloud-compelling chariot, we actually scoured the Cambridgeshire plains, though the dust was suffocating and the heat tropical, for our steed belonged to a class known to London cab proprietors as a retired racer, an animal no longer fit for the Olympic games of Epsom, but who before a gig rather flies than runs, and, I may add, generally leaves a visible wrack

behind, unlike our perishable hopes and affections. Not so, however, in our case, we proceeded safely, passing through two or three villages, whose tumble down houses, or I should rather say in cockney style, whose ruined gates and walls told eloquent stories of their antiquity. Their present desolation formed a melancholy contrast to the cheerful cultivation around them. There was a soothing stillness in the scene presented by the champaign country which we certainly now saw under the happiest circumstances of season and weather. Passing through a flat, and so far as picturesque beauty is concerned, a comparatively barren region, there was yet much to amuse the eye, and make an agreeable variety. The woods and fields were in their mid-summer bloom, and the mellow light of evening heightened the richness of their hues, and gave an exquisite effect to the light and shade which fell upon the landscape. The air was scented with blossoms by trees then in flower, which here and there lined the road-sides. Rural scenes of almost every kind are delightful to the mind, gratifying the senses and producing an inexhaustible fund of innocent amusement, and I contemplated these wide plains, with their luxuriant corn crops bending under the breeze, with ardent delight. My experience, indeed, satisfies me that there are few spots so barren as not to afford picturesque scenes,

> "Believe the muse,
> She does not know that inauspicious spot
> Where beauty is thus niggard of her store,

Believe the muse, through this terrestrial waste
The seeds of grace are sown, profusely sown,
Even where we least may hope."

About sunset we saw the graceful spire of Isleham Church rising like a dream from earth to heaven, and the hamlet shining at the extremity of the open country.

ISLEHAM PRIORY.

Soon we arrived, and, traversing the grassgrown streets of the ancient village, stood in front of, not the venerable edifice itself, but of an old Priory—the old Priory as it is called, or so much of it as remains. This monastery was built circa A.D. 1300. Patched up with brick and mortar, this interesting relic of the olden time is now used as a barn, pig-sty, and stable. Such are the base uses to which it has come. Notwithstanding its cracked and battered condition, the sight of it more than repaid my trouble, and its situation gave rise to many suggestive thoughts. The jolly monks of old were not deficient in taste, and selected sites for their monestaries with both wit and wisdom. At present there there are neither winding paths, trees, ivy, nor water to throw a charm around the Priory, it is left dilapidated and naked, staring and stared at by the irreverant world. It once had all these adjuncts, and might have them again. In its present wretched condition it excites only ideas of solitude, neglect, and desolation. It is worthy, however, of a word of description. In 1791, it was first converted into use as a barn, and has since been called the Priory barn. It

consists of a nave and chancel, with a circular end and eight buttresses, two small south and one small north window, in length about 95 and in breadth 20 feet, and the south door has been enlarged since it was made a barn. The walls are built herring-bone fashion. At the west end are two heavy buttresses, between them a small window and two round ones above. Whether it fell into decay and the lord would not get it converted into parochial use, when granted with its house by Henry VI. to Pembroke College, does not at present appear.

ISLEHAM CHURCH.

After a close examination we passed on to the village church, which was commenced by Sir Thomas Peyton, and the building finished by his son and executor, Sir Christopher Peyton, A.D. 1480. It is one of the most beautiful buildings of the kind in England, in a style far superior to what could be looked for in so mean, though extensive and populous, a village. The edifice is in excellent preservation, though the exterior walls are green with the accumulated damp of centuries. A servant was despatched for the verger, who is likewise janitor, who soon made his appearance, bringing the keys, and introduced us into the interior of the church. It consists of a nave, with two isles and two transepts and a choir. The nave rests on five pointed arches, on each side supported by slender clustered columns. Under the clerestory windows ranges a fascia of dentals and one of flowers. In the intervals between

the arches are three quatrefoils, the lowermost containing shields with the same arms on both sides:

Peyton impaling a lion rampart
Peyton quartering a lion rampart
Peyton single
Peyton impaling a saltire engrailed, a chief Erm. Hyde.

The roof is of wood; and between the principals are whole length statues of angels holding shields with the instruments of the passion. On the wooden cornice is this inscription cut in relief on both sides:

Pray for the good prosperity of
Christopher Peyton and Elizabeth his wife,
and for the soul of
Thomas Peyton, Equyer, and Margaret his wife, father and mother of the said Christopher Peyton,
and for the soul of
All the ancestors of the said Christopher Peyton which did make this rofe* in the fere of our Lord, MCCXVI. being the 1 year of King Henry III.

Note.—The will of Christopher Peyton, of Isleham, dated the eve of the nativite of the blessed virgin, A.D. 1505, and proved 8th of July, 1507. Provides "that he is to be buried within the Church of Isleham, in such place as shall seem to Elizabeth my wife most convenyent. Further to the high altar of the said church, for my tithes negligently paid or forgot, 20s. To my neveu Sr Robert Peyton, Knt., X quarters of barley, and V quarters of whete. My wife Elizabeth to find an honeste prieste to sing for me an hole year. To

* From this date it appears that the church was built in A.D., 1216, unless this coruice was transferred to the new from an older edifice.

my broder ffrancis Peyton XX shepe, and to his wyfe a cowe, and V combes of malte, and to Xpher his son X sheepe. To John Peyton, my godson, 40s. To Edward Peyton, my neveu, 26s. 8d." "The residue of all my goodes I bequeath to Elizabeth my wife, my said wife to have for the terme of her life, all my lands, tenements, meddowes, pastures, etc., in Isleham aforesaid, and within the bounds of Fordham." He appoints "Elizabeth my wife" Executrix.]

Passing by the tombs of many others, we arrived in front of the manor pew. On Spandrils of archwork on this are the arms of Sir Christopher Peyton, and the saltire and chief erm. *Hyde*, his wife, held by angels; St. Michael and the Dragon, etc., etc.

In the south transept, on a plain low altar tomb is an alabaster figure of a knight in armour, in curled hair, with a garland or corolla. Under his head a pointed helmet, with a fillet of *fleurs de lis*, a piked beard, gauntlets, studded neck-band, and strap from his chin to the shoulder straps; round shoulder and elbow pieces; of his sword and dagger the hilts only remaining; a lion looking up at his feet, which are under a nich. Inscription gone, but one of the Peyton's

An altar-tomb of freestone has a slab of speckled marble, from the middle of which has been torn a plain cross. Under an arch in the wall at the feet of a headless man and woman, three boys and three girls, with a label from the mouth of the first of each to a crucifix, and under them this inscription on a brass plate:

Of yr charity pray for the soules of
Sir Robert Peyton, Knight,
Which departed to God the viii day of March, the yere of our Lord, MDVIII.
Also for the soul of
Dame Elizabeth Peyton, his wife,
Which departed to God the yere of our Lord, MD***

[*Note.*—The will of Sir Robert Peyton, Knt. of Isleham, proved the 20th of April, A.D., 1518, ordered, "That he should be buried in Isleham Church—To the high altar of the foreseyde churche, 20s. To the reparation of Wyken Churche, 20s., to the intent that they shall pray for the soule of my brother John Peyton. My gowne of crymsyn velvett to be made a cope and vestment, the cope for the p'she churche of Wyken, and the vestment for the p'she churche of Boxforth, in the countie of Suffolk, upon eche of them being a escocheon of my armes and my wife's armes. I will that a remembrance be made upon a escocheon of my father's arms, and sett upon the wall of the churche of St. Giles, Cripullgate, in London. Robert, my eldest sonne, to have left unto him ffyve hundred shepe of those at Wyken. Item, I will that my flockes of shepe at Isleham, Shippenham, and Barton beside Mildenhall, with all the profitts and increase of them, goe to the p'forming this my wyll. I will that John, my second sonne, shall have to him my manor in Barnham, St. Marteyn, in Suffolk, called Calthorppys. I will that Dame Elizabeth my wife have two partes of my household stuffe. I will that Robert Peyton, my eldest sonne, have my chaine of golde. Unto ffrances Peyton, wife to my saide sonne Robert, a chain of golde. Item, that Edward, my thirde sonne, be provided for by myn executors. To Elizabeth, my daughter, CCC merkes. To Edward Peyton, my brother, XX merks. To Dorothie Peyton,

my sister X merkes. To ffrancis Peyton, my uncle, my blake gowne furred wth blake. To Xpfer Peyton, sonne to my said uncle ffrancis Peyton, X shepe. To kepe the anniversary of Thomas Peyton and Jane his wife, father and mother unto me. Ex'ors, Dame Elizabeth Peyton, my wife, and William Butte, of Cambridge. Supervisor, John Lorde Abbott of St. Edmund's Bury, and my welbeloved fader-in-law Sr Robert Clere, Knt."

N.B. The residue of lands, etc., in Isleham, Barnham, Wyken, and the manors of Seyham Hall, Water Hall, and Badleys, in Suffolk, are left to the eldest son, Robert, with aversions to second son John and third son Edward."]

The date has never been filled up, the plate remaining smooth. Over this a fine park, and under the east window, a rich fascia of vine leaves and grapes, and oak foliage above, over the space formerly occupied by the altar.

South of this is a blue slab, with the arms of *Peyton* impaling a cross flory with a mullet in the centre; and another shield gone:

On a plate in the middle, this inscription:

Pray for the soul of
Sir Robert Peyton, Knight,
which married Frances, the daughter and heir of Francis Hassylden,
Esquire, deceased, which Sir Robert deceased the 1st day of
August, A.D. M * * * whose soul God pardoned.

Another slab south of this has the brass figure of a knight and lady. He is in armour, bareheaded, cropt hair, helmet under head crested with a bear's head,

pointed elbow pieces, strait long guard, short dagger, muzzled bear at feet, looking up. This is the tomb of Sir John Bernard. On a plate at the head is this inscription,

Hic Jacet Johes Bernard mites,
qui obiit XXIIII die mens marcii A.D.'ni MCCCCLI,
Et D'ma Elena Swynton uxis p'dei Johes Bernard milit filie et heredis Johis Mallore milit de com.
Moh'mt qu obiit XIII die Me'ss Octobris Ad. D'no MCCCCXL.
Et d'na Elizabeth Takevyle, secu'de uxis pd'ei Johes Bernard milit qe obiit X die me'ss Julii Ad. D'ni MCCCCLXIV q'r ajabus p'piciet de.

On another large slab are the brass figures of a man in plated armour, ruff, gauntlets, cropt hair, and divided beard, his head on a helmet; at his feet a griffin feiant; his lady reclines on a cushion in a coif and ruff, necklace of four rows of pearls, gown boddice, and petticoat: nothing at her feet.

Peyton quartering the cross fleury, a mullet in the centre: impales per chevron 3 lions rampart in a circle countercharged, quartering.

1. S. a cross ingrailed O. *Peyton*
2. A. three piles wavy G. *Gernon*,
3. Quarterly, O. and G. a bend vairé A. and AZ. *Sackville*,
4. Barry of 8O. and G. a lion passant guardant in chief O.
5. O. a fess G.
6. O. a chevron G. on a chief G. 3 estoiles O.
7. A. fess G. or S. in chief 3 roundels

8. Az. a lion rampart S.
9. G. in a bordure ingrailed A. fishes naiant O.
10. Az. a demi lion rampart G.
11. A. a cross V.
12. A. a cross fleure G.

Impaling, quarterly, 1. 4. quarterly G. and Erm. a cross O. *Osborne*,

2. A. two barrs and a canton G. on the latter cross A. *Broughton.*

3. A. a chevron V. between 3 annulats G.

On the fascia: on a fess between 3 stars 3 roundals, Balam, impaling, the cross impailed and the cross fleury. On the fascia in Roman capitals, gold, on a black ground,

> Years of sixty-seven did pass in governing,
> Both just and wise he was,
> By ancient stock, but more by merit,
> His body the earth, his soul Heaven inherit.

The cross ingrailed and cross fleury impaling, quarterly, Erm. and Az. a cross O. *Osborne.*

Quarterly 1. 4. Barry of 6 Erm. and G. *Hussey.*

A man in a coat and furred gown and hose; his right hand on his breast, his left hanging down holds a book; his lady wears a coif and hood, standing cape, pinkt sleeves, and short ruffles, her apron has strings and is laced. Over her, the Peyton arms, with these quarterlugs.

1. *Peyton.*
2. Three piles wavy. *Gernon.*

3. Achevron in three estoiles.
4. A bear rampant muzzled. *Bernard.*
5. A cross fleury.
6. Three battle axes.
7. A lion rampant and a label of three.
8. A lion rampant.

In the centre of all a mullet.

The quarterings also impale the saltire engrailed and chief Erm. *Hyde.* which last coat is single in a lozenge. Below is the first coat of 8 quarters single, and impaling the saltire and chief; and between them this inscription:

"Here under lyeth a worthy Squire that Richard Peyton hight,
And honest gentleman, and third son to Robert Peyton Knight,
In Grey's inn, student of the law, where he a reader was;
He feared God, and loved his word, in truth his life did pass;
In practising of Justice lo! was his whole delight;
He never wronged any one to whom he might do right.
Whom he esteemed an honest friend, who he might stand instead
He never left to do him good with words, with purse and deed.
Fourteen years space he married was, unto a beautiful wife,
By parent named Mary Hyde, they lived devoid of strife.
The earth him bear twice twenty years, and virtuously he lived,
A virtuous life he did embrace, and virtuously he died
Anño Domino. 1574
The thirtieth day of April, year seventy and four
A thousand, five hundred, being put to that more."

At the South end of this transept are two heavy monuments with canopies on four pillars. On the 2. 3. 4. a chevron between three roses G. seeded O. impaling the crosses quarterly.

Quarterly Erm, etc. the cross O. with a crescent of difference, *Osborne*, impaling the quartered crosses.

1. *Peyton.*
2. The piles wavy.
3. O. a fess G.
4. The chevron and stars in chief.
5.
6.
7. The battle axes.
8. G. a lion rampant O. with a crest S. under a label of 30.
9. G. a lion rampant.

On the tomb at the head of this lies a Knight in armour, in his hair, piked beard and ruff: under his legs a heavy shield; at his feet a griffin O. his lady in ruff, coif, gown plaited, under her feet seems a fox or wolf headless. Above the following arms, quarterly.

1. *Peyton.*
2. A. 3. piles G,
3. Quarterly O. and G. a bend nebula A. and Az.
4. O. a lion chief over barry of G. and O. or 2 cottises.
5. O. a lion rampant G.
6. A. a lion rampant S.
7. Bendy of 12. A. and G.
8. O. a bend G.
9. O. a chevron G. on a chief G. three stars.
10. A fess, in chief 3 ogresses.
11. A. a bear rampant S. Bernard.
12. S. 3 battle axes erect. A.

13. Gironne A. and G.
14. Quarterly A. and S. a bend of chain work S.
15. A. in a bordure engrailed G. three fish naiant A.
16. A. demi-lion rampant G.
17. A. on a bend G. three spread eagles O.
18. A. a cross fleuri S.
19. G. a lion rampant O.
20. A. on a fess indented G. or S. 3 bezants.
21. A lion rampant G.

Crest: a griffin sejant, O.

Nec vi nec metu

On the fascia the crosses quarterly single, and impaling, quarterly,

1-4. Osborne.
2. Broughton.
3. A chevron between 3 roundels.

The last quarterings single.

One of these monuments is by the impalment that of Robert Peyton, who married the daughter of Lord Chancellor Rich, and was with his wife buried here and the other that of Sir John Peyton, Knight and Baronet, son of Sir Edward Peyton, Bart., author of "Secret History of James I." and last of the family who resided here and uncle to Robert Peyton, who emigrated to Virginia. This Sir John married Alice, daughter of Sir Edward Osborne, Knight, Lord Mayor of London and afterwards Duke of Leeds.

Under a brass cross on steps between two hands elevated, is this inscription.

Pray for the soul of
Elizabeth Peyton,
Which deceased the IV. day of November,
the yer of our Lord MDXVI.
on whose soule Jhu have mercy.

Under this a saltire engrailed, a chief Ermine; for Elizabeth Hyde, wife of Sir Christopher, patron of the church.

A large slab had a brass plate and two shields, these are worn too indistinct to be deciphered.

Under the South window is the stone figure of a Knight in armour, his helmet flattened at top, a lion at his feet, and against the west wall of this transept, headless, figures of a man and woman, and between them three children, praying to the Deity over the latter. Under all a plate thus inscribed,

"God have mercy on the soul of
Sir Christopher Peyton, and Elizabeth his wife,
Christopher deceased, the XXVII day of June,
in the year of our Lord, MCCCCCVII, (1507.)

This commemorates the patron of the church before mentioned. The brackets of the roof of this transept, have angels holding shields of arms of *Peyton* single and impaling *Hyde*: which last coat is also single.

In the north wall of the north aisle is a broken crossed legged figure in stone in armour, in a round helmet; a fine lion at his feet, and over him an elliptical within a pointed arch, or very short round pillars sided by purfled finials. This is evidently the figure, of one

of the Peytons who accomponied Godfrey de Bouillon to the seige of Jerusalem and engaged in the rout of the Saracens at the battle of Ascalon A. D. 1099.

In the chancel, on the North side of the communion table, are, on an altar-tomb with a gray slab, under a treble canopy with black shields in the spandrils, the brass figures of Sir Thomas Peyton, Knight, and his two wives, Margaret daughter and co-heiress of Sir Hugh Francis of Gifford, in the parish of Wickhambrook, Suffolk. Sir Thomas was sheriff for Cambridge and Huntingdon shires, 21 and 31 Henry V. and died July 30, 1484. He is in plated armour, with a standing cape and gorget, bareheaded, hair cropt, and has a sword, a cross and a dagger. Both the ladies have the gauze head dress of this century; but no wires appear; one has on the cushion of her head dress something like arms, several chevronels, and a scroll impaling barry of 6 or 8; a rich necklace, furred cape and rufiles to gown; the other has the same head dress and necklace, but no fur to her rich embroidered gown; on her cushion is inscribed "*Lady*" and "*Thy mercy.*" The hands of both are held up and spread open, not in the usual attitude of prayer. The inscription is,

Date pro animabus
Thomas Peyton armigeri et Margeret et Margaret uxores ejus
dui quidam Thomas,
obiit XXX die mensis Julie,
Anno Domini Millimo CCCCLXXXIIII quom animabus p'piciit
de ane.

Arms on the spandril of the arch above a cross ingrailed in the dexter corner a mullet of five points *Peyton:* single and impaling a bear rampant. *Bernard.* On the corner of the cornice *Peyton* impaling a saltire, *Francis.*

All through this sacred edifice are thickly strewn the memorials which claim the passing tribute of a sigh, all teaching the silent lesson that man is but mortal, and impressing on the mind the vanity of human hopes,—that in sober truth, the path of glory leads but to the grave.

Solemnly and sadly quitting the dim cloisters, on the marble pavements of which the sunlight, coming through the stained windows, cast patches of gold and purple, I softly murmered, as I passed out of the consecrated edifice,

> The knights are dust,
> And their good swords rust,
> Their souls are with the Saints I trust.

From the church we proceeded through the village, passing the Priory again, and crossing a corn field, entered the grounds of the Hall.

The land on which the church, but not the hall, stands, as will be seen by reference to Doomsday book, was granted to the Peytons, in 1068, by William the Conqueror, who was wont to grant lands to his favourites, in the language of an ancient bard,

> From heaven to yerthe,
> From yerth to hel,
> For thee and thine there to dwell.

Soon we passed the lonely moated grange and stood before the hoary and venerable seat. The first view of the once gay and festive Hall is imposing, though it looks like a habitation forsaken of men and yet not resumed by nature. It is a large, antique mansion, a vast pile, lone, desolate and partly in ruins. The ravages of time are strongly marked on everything about it. The old turrets at the corners are gone, as also the ample portico in the centre. Many of the windows are broken and dismantled. There is a ruinous gate-way here and a crumbling arch there. While viewing what may be called the ruins of this once grand old mansion I could not help thinking of the remark of Lord Macaulay, who, when speaking of the county gentlemen of the seventeenth century, said, that they troubled themselves little about decorating their abodes, and, if they attempted decoration, seldom produced anything but deformity. A remark even more true of those who precede the 17th century.

One portion of the brick and stone skeleton is occupied by a farmer's family, another is used as a malting-house, and a third as a barn, while other parts have been turned into stalls and stables. Ruined walls stretch away in different directions—here propped up and repaired—there broken and prostrate. As we advanced to the building, a troop of frightened sheep crowded beneath one of the gateways where I could not help thinking perhaps the doughty Knights of old had often stood in shining armour and looked upon the extensive walls now crumbling into ruins. Long

I paused and gazed upon the home of my forefathers with a species of awe which enforced silence.

* * * * *

The wide domain has dwindled to forty-six acres surrounding the debris, I may say, for it is scarcely more, of the Hall. Age and the decrepitude of age is furrowed in deep lines upon every stone and timber. The walls are hoary with time, the trunks of the trees are white with age, and these old monarchs of the forest appear to be in a feeble and dying condition—the ivy on the walls has grown its growth, and is slowly dying its death, the very dust under foot is pale and silvery, as if the rains of centuries had washed out of it all semblance of fertility."

* * * * *

APPENDIX B.

MEMORANDA OF THE PRESTON FAMILY,

BY

ORLANDO BROWN, OF FRANKFORT, KENTUCKY.

JOHN PRESTON,

First of the family who came to America, was born in Ireland, in the city of Londonderry. His father and three uncles were Englishmen, who served under King William, and aided in defence of that city when besieged by the Roman Catholics, commanded by King James, in 1689. He was a Protestant of the Presbyterian denomination, a man of strong mind and correct principles. He married ELIZABETH PATTON, a sister of Col. James Patton, of Donnegal, and removed with him from Ireland to the State of Virginia, in the year 1740. Col. Patton had for some years commanded a merchant ship, and was a man of property, enterprise

and influence. He obtained an order of council from the Governor of Virginia, under which he appropriated to himself and associates, 120,000 acres of the best lands lying above the Blue Ridge, in that State, several valuable tracts of which fell to the share of his descendants. He was killed by the Indians at Smithfield, in the year 1753. He left two daughters, one of whom married Capt. William Thompson, the other married Col. John Buchanan, and from the latter descended John Floyd, late member of Congress and Governor of the State of Virginia, James D. Breckinridge of Louisville, late member of Congress from Kentucky, and William P. Anderson late Colonel in the United States army. John Preston, on the passage from Ireland, lost part of his property in a storm, but being an associate, he obtained, under the order of council aforesaid, a valuable tract of uncultivated land, called *Robinson's*, which descended to his son, and until lately remained in the family.

John Preston's first residence in Virginia, was at Spring Hill, in Augusta county, but about the year 1743, he purchased, and with his family settled upon a tract of land adjoining Staunton, on the north side of that town (now occupied by Gen. Baldwin), where he died shortly after, and was buried at the Tinkling Spring Meeting-house, leaving a widow and five children. Mrs. Preston, who possessed much strength of mind and energy of character, continued to reside upon the plantation they had purchased, until her children were all educated and married, when she

removed to Greenfield, the seat of her son, Col. William Preston, where in 1776 she died, aged 76 years.

The Children of John and Elizabeth Preston, were:

I. Letitia Preston, who was born in Ireland, in 1728. She married Col. Robert Breckinridge, a farmer in Bottetourt county, Virginia. After his death, she removed to Kentucky, and died in the year 1798, aged 70 years. Her family consisted of four sons and one daughter.

1st. William Breckinridge, now living, a farmer near Lexington, Kentucky, who married Miss Gilham. His family consists of two sons and a daughter. His son, John B. Breckinridge, is a merchant in Staunton, Va., and has been twice married. Meredith Breckinridge died unmarried.

2d. John Breckinridge *(dead)* married Mary Cabell, and removed to Kentucky, in the year 1792. He was a laywer of eminent standing, was a Senator in Congress, and, shortly before his death, was appointed Attorney General for the United States, under Mr. Jefferson's administration, and died in 1806. His family consisted of five sons and two daughters. 1st Joseph Cabell Breckinridge *(dead)*, who married Miss Smith, a daughter of Dr. Smith, President of Princetown College and left one son, John C. Breckinridge,* a lawyer in Iowa, and four daughters: 1st. Frances Ann, who married the Rev. J. C. Young, President of Danville

* Now, 1864, Gen. John C. Breckinridge, fomerly Vice President.

College, and left the following children, viz: Mary, Caroline, Josephine, Jane Elizabeth, and Frances Breckinridge. 2d. Caroline L., married the Rev. Joseph J. Bullock of Frankfort, and has three children, viz: Waller, Mary, and Cabell, all minors. 3d. Mary Cabell, married Dr. Thomas P. Satterwhite of Lexington, and left two children, viz: Mary and Thomas. 4th. Letitia, unmarried. Joseph Cabell Breckinridge was a member of the Kentucky Bar, Speaker of the House of Representatives, and Secretary of States when he died in 1823. 3d. John Breckinridge *(dead)*, well known as a Presbyterian Minister, and a professor in the Theological Seminary at Princeton. He married Miss Miller, daughter of Dr. Miller, of Princeton, and left one son and three daughters, as yet minors. 3d. Robert J. Breckinridge, a lawyer, and for several years member of the Kentucky Legislature, now Pastor of the 2d. Presbyterian Church in Baltimore. He married Miss Preston, daughter of General Francis Preston, of Virginia. His family consists of four daughters and two sons, viz: Mary, Sally, Maria, Sophonishba, Robert and William, minors. 4th. Wm. L. Breckinridge, Pastor of the 1st Presbyterian Church in Louisville, who married Miss Prevost, daughter of Judge Prevost of Louisiana, and has seven children, viz: John Barton, Robert James, Marcus Prevost, William Lewis, Frances Prevost, Mary Hopkins, and Stanhope Prevost, all minors. 5th James Breckinridge, died before he was grown. 6th Letitia Breckenridge, *(dead)* who first married Alfred Grayson, by whom she had one

son, John B. Grayson, an officer in the United States Army, and then married Gen. Peter B. Porter, of New York, by whom she left a son, Peter B. Porter, and a daughter, Elizabeth Porter, minors. 7th. Mary Ann Breckinridge, *(dead)* who married David Castleman, a farmer of Fayette county.

3d. James Breckinridge of Virginia, (*dead*) a member of the bar, a general of militia and member of congress. He married Miss Selden, and left four sons and four daughters, viz: Carey married Miss ——; James died unmarried; Robert married Miss Meredith of Kentucky, and left a daughter recently married, and one son a minor; John Breckinridge, unmarried; Letitia, married Col. Robert Gamble of Florida, her eldest daughter married Mr. Shepherd, a planter of Florida, and her eldest son, John Gamble, married Miss Watts of Virginia; Elizabeth Breckinridge married Gen. Edward Watts of Virginia, a lawyer, and speaker of the Virginia Senate, who has two sons, James and William, both lawyers, and six daughters; Mary (*dead*), married Mr. Gamble of Florida; Ann married James P. Holcomb, a member of the Virginia bar; Elizabeth married Thomas L. Preston of Abingdon; and the others as yet minors. Marian Breckinridge, died unmarried; and Matilda married Harry Bowyer of Fincastle.

4th. Elizabeth Breckinridge (*dead*), married Samuel Meredith of Fayette county, Ky., and left three daughters. 1st. Letitia, who married William S. Dallam, and has three daughters, viz: Frances married

Professor Peter, of the medical School of Transylvania University—Letitia, unmarried—and Elizabeth recently married. 2d. Elizabeth married James Coleman, and has several sons and daughters, the eldest of the latter recently married. 3d. Jane unmarried. 4th. Mary married her cousin, Robert Breckinridge of Virginia, and left a daughter, recently married to Mr. Burch, and a son a minor.

5th. Preston Breckinridge married Miss Trigg of Kentucky, and left three sons, Robert, William and Stephen—and three daughters, Marian, Elizabeth and Gabriella, who married Mr. Tarlton, Mr. Dickey, and Mr. Shotwell.

II. Margaret Preston, second daughter of John and Elizabeth Preston, was born in Ireland, about 1730. She possessed a strong cultivated mind, and much energy of character. She married the Rev. John Brown, a graduate of Princeton College, long and extensively known in Virginia and Kentucky as a Presbyterian minister of piety and talents. They both died in Kentucky—she in the year 1802, aged 73 years—and he in 1803, aged 75 years. Their children who lived to maturity were:

1st. Elizabeth (*dead*), who married the Rev. Thomas B. Craighead of Tennessee, a distinguished Minister of the Presbyterian denomination, and left seven children, viz: John B., Jane, David, Alexander, William, James B., and Thomas David and Thomas are members of the Tennessee bar. John B. and David are married, and have children. The names of John B. Craighead's

children are Joseph and Thomas. The names of David Craighead's children are Elizabeth, James, Mary, Joanna, and Thomas, all minors.

2d. John Brown,* now the oldest member of the Preston connexion. He was a student at Princeton College, when that institution was broken up by the British. He afterwards completed his studies at William and Mary College, and for several years practised law with success. He was a member of the Virginia legislature from the District of Kentucky, and was, by the legislature of that state, appointed a representative to the old congress in 1787, and also in 1788. In 1789 and 1791, he was elected by the people of Kentucky a representative to the first and second congress under the present constitution. After Kentucky became a state, he was three times elected a senator in congress, and continued a member of the senate until 1805. He married Margretta Mason of New-York, daughter of the Rev. John Mason, and sister of the Rev. John M. Mason, both distinguished ministers of the gospel. By this marriage he had five children, four sons and one daughter, three of whom died when children. Mason and Orlando are now living. 1st. Mason Brown is a judge of the circuit court of Kentucky, and has been twice married — first to Judith Ann Bledsoe, daughter of the Hon. Jesse Bledsoe; by her he had one son, Benjamin Gratz Brown, a minor now

* The Hon. John Brown died at Frankfort, Ky., on the 29th of August, 1857, aged 80 years.

living—afterwards to Mary Yoder, daughter of Capt. Jacob Yoder of Spencer county, Ky. They have three children, viz: John, Margaret and Mary, all minors. 2d. Orlando Brown was educated as a lawyer, and for some years edited the Kentucky *Commonwealth*. He married Mary W. Brown, daughter of Dr. Preston Brown. They had five children, four sons and a daughter, three of whom are living, viz: Euphemia, Mason and Orlando, all minors.

3d. William Brown, was educated at Princeton—studied medicine, and commenced the practice in South Carolina, with fair prospects of success, but died shortly afterwards, unmarried.

4th. Mary Brown (*dead*), who married Dr. Alexander Humphreys, an eminent physician of Staunton, and after his death removed to Kentucky with her family, consisting of seven children. 1st. John B. Humphreys (*dead*), married Miss Kenner of Louisiana, and resided in that State. His widow and six children, who are all minors, still reside in that state. 2d. Margaret Humphreys married Charles Sproule, and left four children, Mary Ann, Margaret Joseph and John (*dead*)—Margaret married James S. Clark, merchant of New Orleans, and has two children, minors. 3d. James Humphreys married Miss Harry, of Ohio, and left one daughter. Elizabeth Humphreys, unmarried. 4th. David C. Humphreys, a farmer in Woodford county, Ky., married Miss Scott, daughter of Dr. Joseph Scott of Lexington, and has four children, viz: Joseph, Samuel, Mary, and Lucy, minors. 5th.

Elizabeth Humphreys married Robert S. Todd of Lexington, for many years clerk of the house of representatives of Kentucky, and now a member, and has five children, viz: Margaret, Samuel, David, Martha, and Emily, all minors. 6th. Samuel Humphreys, died unmarried. 7th. Dr. Alexander Humphreys, married Miss Perrit of Louisiana, and lives in that state, having four children, viz: Elizabeth, Elodie, Amelia, and Eulalia, all minors.

5th. James Brown, a distinguished lawyer, and first secretary of state in Kentucky. He was for many years a member of the United States senate from Louisiana, and for six years American minister to the court of France. He married Ann Hart, daughter of Col. Thomas Hart, and sister of Mrs. H. Clay, of Ashland, and died at Philadelphia, leaving no family.

6th. Samuel Brown (*dead*), an eminent physician, and professor in the Medical school of Transylvania. He married Miss Percy of Alabama, and left one son, James P. Brown, a lawyer and planter in Mississippi, who married Miss Campbell, daughter of George W. Campbell of Nashville — and one daughter, Susan Brown, who married Charles J. Ingersoll, Jr., of Philadelphia.

7th. Dr. Preston Brown (*dead*), of Woodford county, Ky. He married Elizabeth Watts of Va., and left one son, viz.: John P. W. Brown, who married Miss Nichol of Nashville, and is a member of the Tennessee bar, and has three children, viz.: Eleanor, Elizabeth W., and Preston W., all minors; and four daughters, viz.:

1st. Louisa, who married Judge Rucks of Mississippi, who has six children, viz.: Elizabeth, Preston, Maria Louisa, Henrietta, Marian, and Lewis Taylor, all minors. 2d. Henrietta, who married Judge Reese of Tennessee, and has a daughter Louisa. 3d. Mary (*dead*), who married Orlando Brown of Frankfort. 4th. Elizabeth who married Robert W. Scott of Franklin county, Ky., and has five children, viz.: Preston, Joel, John, Mary, and Rebecca, all minors.

III. William Preston, only son of John and Elizabeth Preston, was born in Ireland, and was eight years old when he came to America. He was a man of strong active mind, and much energy of character—was a member of the Virginia house of burgesses, surveyor and county lieutenant of Fincastle or Montgomery county, and a decided active and efficient Whig during the Revolutionary war. He married Miss Susanna Smith of Hanover county, Virginia, daughter of Francis Smith and Elizabeth Waddy, and died at Smithfield, in June 1783, aged 53 years, leaving eleven children, viz: Elizabeth, John, Francis, Sarah, William, Susanna, James, Patton, Mary, Letitia, Thomas, Lewis, and Margaret.

1st. Elizabeth Preston, married William S. Madison, who died during the Revolutionary war, and left two daughters, Susan Smith Madison and Agatha Strother Madison. Susan married John Howe Peyton of Staunton, a distinguished lawyer and member of the Virginia senate, and left one son, William M. Peyton, a member of the Virginia legislature, who married Miss

Taylor, daughter of Judge Allen Taylor of Bottetourt, and has the following children, viz: Elizabeth, Susan, Sally, Agatha, Garnett, and William, all minors. Agatha married Garnett Peyton, brother of John H. Peyton, and has four sons, Benjamin Howard Peyton, John R. Peyton, who married Miss White, James M. Peyton, William P. Peyton, and Ann Peyton.

2d. John Preston, eldest son of Col. Wm. Preston of Smithfield, was a member of the Virginia senate, general of militia, surveyor of Montgomery county, and for many years treasurer of Virginia. He first married Miss Radford, and then Mrs. Mayo, and left three sons and three daughters. 1st. William R. Preston of Missouri, married Miss Cabell, and has a large family of children minors. 2d. John B. Preston of Barren county, Ky., was many years a member of the Kentucky legislature. He married Miss Murrell, and died on a visit to Texas, leaving several children, minors. 3d. Edward C. Preston, married Miss Hawkins, and died in Louisiana, leaving one son, a minor. 4th. Eliza Preston married Charles Johnson, a lawyer, and member of congress from Virginia.* She left one son, Preston Johnston of the United states army, and one daughter Elvira Johnston, unmarried. 5th. Susan R. Preston married her cousin William Radford, and has two daughters, minors. 6th. Sarah R. Preston, married Henry Bowyer, and has three sons and two daughters, minors. Mrs. Radford and Mrs. Bowyer

* General Joe Johnston of the Confederate Army of the Cumberland (1864), is of this stock.

both reside at Greenfield, the former residence of their father and grandfather.

3d. Francis Preston, second son of Col. Wm. Preston, of Smithfield, was member of the Virginia Senate, General of Militia, and member of Congress. He married Miss Campbell, only child of General William Campbell, and left ten children, four sons and six daughters, viz: William Campbell Preston, a distinguished lawyer and Senator in Congress from South Carolina, married first Miss Coulter of that State, and after her death, Miss Davis of that State. His only child is Sally Campbell Preston, unmarried. 2d. Eliza, who married Gen. Edward Carrington of Halifax, Virginia. Her children are minors. 3d. Susan married her cousin, James M'Dowell, and has nine children. 4th. Sarah married her cousin John B. Floyd, and has no children. 5th. Sophonisba married the Rev. Robert J. Breckinridge, and has six children, Mary, Sally, Robert, Maria, William, and Sophonisba. 6th. Maria *(dead)*, married John M. Preston of Abingdon, formerly of Kentucky, and has two sons, minors. 7th. Charles Preston married Miss Beall, and has left no children. 8th. John S. Preston married Miss Hampton, daughter of Gen. Wade Hampton of South Carolina, and has five children, minors. 9th. Thomas L. Preston married Miss Watts of Virginia, 10th. Margaret married Wade Hampton, Jr., grandson of Gen. Wade Hampton, and has one son, a minor.

4th. Sarah Preston, second daughter of Col. Wm. Preston, of Smithfield, married Col. James M'Dowell of

Rockbridge, Va., an officer in the late war with Great Britain. She left two daughters and one son, viz: 1st. Susan married William Taylor, a lawyer, and member of the Virginia senate. She has four sons, Dr. James Taylor, Robert Taylor, a lawyer, Benton Taylor, William Taylor, and one daughter Susan, unmarried. 2d. Eliza married Col. Thomas Hart Benton, a lawyer, and Senator in congress from Missouri. She has four daughters, Eliza, Jesse, Ann, Sarah, and Susan, and one son, Randolph Benton. Jesse Ann Benton is recently married to Lieutenant Fremont of the United States Army. 3d. James M'Dowell, member of the Virginia legislature, married Miss Preston, daughter of Gen. Francis Preston, and has nine children, viz: Sally who is recently married to Francis Thomas, Governor of Maryland; Mary, Frances, Sophonisba, Susan, Canty, Elizabeth, James, and Thomas.

5th. William Preston, third son of Col. Wm. Preston, of Smithfield, late of Louisville, was for five years a captain in Gen. Wayne's army. He married Miss Hancock, of Virginia, and left five daughters and one son, viz: 1st. Henrietta *(dead)*, married Albert S. Johnson of the United States army, recently a General of Texas, and left one son, William, and one daughter, Henrietta, minors. 2d. Maria married John Pope of Louisville, and has no children. 3d. Caroline *(dead)*, married Col. Abram Woolley of the United States army, and left one son, William P. Wooley, a minor. 4th. Josephine *(dead)*, married Capt. Jason Rogers of the United States army, and left five children, viz: William,

Susan, Albert S., Maria, and Jason, minors. 5th. William Preston married Miss Wickliffe, daughter of Robert Wickliffe, and has one daughter, Mary Owen Preston, a minor. 6th. Susan, married Howard Christy of St. Louis.

6th. Susanna Preston, third daughter of Colonel Wm. Preston of Smithfield, married Nathaniel Hart of Woodford county, Ky., and left five daughters and two sons, viz.: 1st. Sarah Simpson Hart married Col. George C. Thompson of Mercer, often a member of the Kentucky legislature and twice speaker of the lower house. She has three daughters, Susan, Virginia (*dead*), and Letitia, unmarried. 2d. Letitia P. Hart married Arthur H. Wallace of Livingston county, Ky., and has two sons and two daughters, Susan, William, Sarah, and Thomas, minors. 3d. Louisiana B. Hart married Tobias Gibson, a planter of Louisiana, now of Lexington, Ky. She has one daughter, Sarah, and six sons, Randal, William, Hart, Claudius, Tobias, and M'Kinley, minors. 4th. Mary Howard Hart married William Voorhies, a member of the Louisiana legislature, now of Woodford county, Ky., and has three sons, George, Charles, and William, minors. 5th. Nathaniel Hart — and 6th. William P. Hart, both unmarried. 7th. Virginia Hart married Alfred Shelby, youngest son of Gov. Shelby, and has two sons, and one daughter, Isaac, Alfred, and Susan, minors.

7th. James Patton Preston, fourth son of Colonel Wm. Preston of Smithfield, was a member of the Virginia senate, a Colonel in the United States Army,

and Governor of Virginia. He married Miss Taylor of Norfolk, and has three sons and one daughter, viz.: 1st. Wm. Ballard Preston, a lawyer and member of the Virginia senate, who married Miss Redd, of Virginia, and has one son, Waller Redd Preston. 2d. Robert Taylor Preston married Miss Hart of South Carolina, and has three children, Virginia, Hart, and James P., minors. 3d. James Francis Preston is a lawyer and unmarried. 4th. Jane Grace Preston, unmarried.

8th. Mary Preston, fourth daughter of Colonel Wm. Preston of Smithfield, married John Lewis of the Sweet Springs, and left six daughters and three sons, viz: 1st. Susan married Henry Massie of Virginia, and left three daughters and two sons, viz: Sarah married Mr. Stanley of North Carolina; Mary married John Hampden Pleasants, editor of the Richmond Whig; Eugenia married Samuel Gatewood; Henry Massie married Miss Smith, and Thomas, unmarried. 2d. Mary Lewis married James Woodville, a lawyer of Fincastle, and left one son, Lewis Woodville, unmarried. 3d. William Lewis married, first Miss Stewart of South Carolina, then Miss Thompson of South Carolina, and then his cousin, Miss Floyd of Virginia. He has often been a member of the South Carolina legislature, and has four daughters, one of whom is married. 4th. Ann Lewis married John Howe Peyton of Staunton, and has nine children, viz.: Susan, married to Mr. Baldwin of Staunton, John Lewis, Ann, Mary, Lucy, Margaret, Yelverton, Howe, and Virginia. 5th. Sarah Lewis married John Lewis of Kenawha. 6th. Margaret Lynn

Lewis married Mr. Cochran of Charlottsville, and has five sons and one daughter, minors. 7th. Dr. Benjamin Lewis married Mrs. Smith of South Carolina, and has three children minors. 8th. Thomas P. Lewis, unmarried. 9th. Polydora married Mr. Goss, a farmer of Albemarle, and has one child, a minor.

9th. Letitia Preston, fifth daughter of Col. Wm. Preston of Smithfield, married John Floyd of Kentucky, who removed to Virginia; was many years member of Congress, and then Governor of the State. She has four sons and three daughters, viz.: 1st. John B. Floyd, a lawyer, married Miss Preston, daughter of Gen. Francis Preston, and has no children. 2d. William P. Floyd, is a practising physician, and unmarried. 3d. Benjamin Rush Floyd, a lawyer, married Miss Mathews of Virginia, and has one child, a minor. 4th. George R. C. Floyd, unmarried. 5th. Letitia P. married William Lewis of South Carolina, and has two daughters, minors. 6th. Lavalette, unmarried. 7th. Nicketti, married Mr. Johnston, a lawyer of Virginia.

10th. Thomas Lewis Preston, fifth son of Colonel Wm. Preston of Smithfield, was a lawyer and member of the Virginia legislature. He married Miss Randolph, daughter of Edmund Randolph of Virginia, and left one son and one daughter, viz.: John Thomas Lewis Preston, Professor in the Virginia Military Institute, married Miss Caruthers, and has two sons and two daughters, minors. Elizabeth married William A. Cocke of Cumberland county, Virginia, and has three sons, minors.

11th. Margaret Preston, sixth daughter of Colonel Wm. Preston of Smithfield, married Colonel John Preston of Walnut Grove, Virginia, son of Robert Preston, a distant relative, has nine sons and five daughters, viz.: 1st. Susan *(dead)*, married Mr. Ray of Tennessee, and left two daughters and a son, minors. 2d. Robert, a physician, married Miss Marshall of Philadelphia, and has two daughters, minors. 3d. Margaret, married James White of Abingdon, and has eight children minors. 4th. Alfred, married Miss Willey of Tennessee, and has no children. 5th. Ellen, married Mr. Sheffy of Virginia, and has two children, minors. 6th. John, a lawyer, of Arkansas, unmarried. 7th. Thomas, a lawyer of St. Louis—8th. Walter, a lawyer, both unmarried. 9th and 10th. Jane and Elizabeth, unmarried—and Francis, James, Joseph, and Henry, minors.

IV. Ann Preston, third daughter of John and Elizabeth Preston, born in Ireland, was a woman of excellent understanding and unaffected piety. She married Francis Smith of Virginia, and removed to Kentucky, where she died in 1813, aged 74 years. Her family consisted of two sons and four daughters, viz:

1st. Elizabeth, married James Blair, a lawyer, and Attorney General for Kentucky. She left two sons and two daughters, viz.: 1st. Francis P. Blair, the distinguished editor of the Globe, who married Miss Gist, daughter of Gen. Nathaniel Gist, and has three sons and one daughter, viz.: Montgomery, a lawyer of Missouri.—Francis, James, and Elizabeth. 2d. William

Blair, a Captain in the United States army, married Miss Cragg, and left one son, Patrick S., minor. 3d. Susanna Blair married Abram Ward, then John Hunnicut, then Job Stevenson. She has one son, Abram Ward, minor. 4th Eliza Jane Blair, married N. A. Spears, and has several children.

2d. John Smith, member of the Kentucky legislature married Miss Hart, daughter of Capt. Nathaniel Hart, one of the Pioneers of Kentucky, and has two sons and five daughters, viz.: 1st. William P. Smith married Miss Grayson, and has one daughter, a minor. 2d. Isaac S. Smith, married his cousin, a daughter of Richard Hart of Henderson, Ky., and has one child, a minor. Mucretia, Susan (*dead*), Sally, Ann, and Letitia unmarried.

3d. Susanna Smith, married William Trigg, of Frankfort, son of Col. Stephen Trigg, who was killed at the Blue Licks, 1782, and has no children.

4th. Jane Smith, married George Madison, an officer in the late war, and Governor of Kentucky. She left three sons and two daughters, all of whom died young and unmarried except Myra, who married Andrew Alexander, and has the following children, viz.: Agatha Apoline, Myra, George, and Andrew, all minors.

5th. William P. Smith, was a captain in the United States army, and died unmarried.

6th. Agatha Smith married Dr. Lewis Marshall of Woodford, and has six sons and one daughter, viz.: 1st. Thomas F. Marshall, lawyer and member of

Congress. 2d. William L. Marshall, lawyer of Baltimore, married Miss Lee of Virginia, and has one child, a minor. 3d. Charles Marshall *(dead)*. 4th. Dr. Alexander Marshall married Miss M'Dowell, and has several children, minors. 5th John Campbell Marshall—6th. Agatha—and 7th. Edward Marshall, unmarried.

V. Mary Preston, fourth daughter of John and Elizabeth Preston, was a woman of superior understanding and highly cultivated taste. She married John Howard of Virginia, and removed to Kentucky, where she died in 1814, having been born in America, and being 74 years of age. She had one son, 1st. Benj. Howard, a member of Congress from Kentucky, and Governor of the Territory of Missouri, when he died in 1814. He married Miss Mason, daughter of Gen. S. T. Mason of Virginia, but left no children.

2d. Elizabeth Howard married Edward Payne of Fayette county, and left six sons, viz: Edward Daniel M'Carty, Benjamin, Thomas Jefferson, John B., and James B. Payne, all of whom married except Benjamin, who died young.

3d. Mary Howard married Alexander Parker of Lexington, and has one son, Richard B. Parker, who married Miss Rice— and one daughter Mary, who married Thomas T. Crittenden. Secretary of State, and Circuit Judge of Kentucky, who has one daughter, Mary Crittenden, who married in Texas—and four sons, Alexander P., Thomas, Benjamin, and Robert, the first married.

4th. Sarah Howard died unmarried.

5th. Margaret Howard married Robert Wickliffe, an eminent lawyer, and member of the Kentucky legislature. She left three daughters, viz: Sally Wickliffe, who married Aaron K. Woolley, member of the Kentucky legislature, Circuit Court Judge, and Professor in the Law School of Transylvania. She has six children, minors. 2d. Mary Wickliffe, unmarried. 3d. Margaret married William Preston * of Louisville, and has one daughter, minor. 4th. Charles, 5th. John, and 6th. Benjamin, died unmarried. 7th. Robert Wickliffe, lawyer and member of the Kentucky legislature.

* William Preston, now General in the Confederate Army.

[The foregoing "Memoranda" was first printed for private distribution in the year 1842, and, being in request by a few collectors, twenty-five copies were re-printed in Albany, N.Y., 1864.]

APPENDIX C.

ABRIDGED PEDIGREE

OF THE

LEWIS FAMILY.

The Lewis family are descended from a French-Protestant family (Lewis de Dole), which took refuge in Scotland from the persecutions that followed the assassination of Henry IV. of France. Lewis was a gentleman of fortune, and married Margaret Lynn, the daughter of the Laird of Lock-Lynn, who was descended from a chieftain of a once powerful Highland Clan. He left by his marriage, issue, namely:

I. *Thomas*, who was for many years a member of the House of Burgesses of Virginia and of the Federal convention of 1787. He married and left four sons. 1. John, 2. Samuel, 3. James, 4. Thomas, all of whom married and left issue.

II. Andrew, a General in the American revolutionary army, and the first field officer ever nominated by Washington. He is the hero of the battle of Point-Pleasant, and was at Braddock's defeat in 1755. Gen. Lewis married and left issue. The State of Virginia has erected a Statue of him, in the public grounds, Richmond, Virginia.

III. Charles, a Colonel in the colonial service of Virginia, killed 10th October, 1774, at the battle of Point-Pleasant. Lewis County, Virginia, is named in his honour. He married and left issue,

1. John Lewis, who married and left issue, viz., General Samuel Lewis, of Lewiston, Rockingham Co., who married and left issue, 1. Hon. John Lewis, United States senator for Virginia, in 1873, who married Serena, a daughter of Hon. Mr. Sheffey, and has issue. 2. His Excellency Charles H. Lewis, Minister President at the Court of Portugal, in 1873, from United States. He married a daughter of Hon. John Taylor Lomax, and has issue, one daughter, who is married.

IV. William, a Colonel in the Colonial forces of Virginia, and present at the defeat of General Braddock, in 1755. He married Ann Montgomery of Wilmington, Delaware, a kinswoman of General Richard Montgomery, and left issue, a large family. His son and successor was,

1. *Major John Lewis,* of the Sweet Springs, who married Mary, a daughter of Col. William Preston of Smithfield, Virginia, and left issue,

I. *Colonel William Lynn Lewis,* who married 1st, Miss Stuart of S. C. and by her left issue, 1st. Dr. James Stuart Lewis, and two daughters, Col. Lewis married 2nd., Letitia, daughter of His Excellency, Governor John Floyd of Va., and left issue, 1st. William Lynn, married Miss Dooley, of Richmond, 2nd. John Floyd, married Miss —— of Kentucky, 3rd, Charles and two daughters, 1st. Susan married Mr. Fredericks of South Carolina, and has issue. 2nd. Letitia married Mr. Cockes, of Virginia, and has issue.

II. Major Thomas Preston Lewis, unmarried.

III. Dr. John B. Lewis married Mrs. Smith, of South Carolina, and left issue, 1st. Dr. John Lewis, of Albemarle, County Virginia. 2. William, 3. Montgomery killed in the Confederate army. 4. Ann married Mr. White, of Texas, and has issue, 5. Eugenia, unmarried.

IV. Mary married James L. Woodville, of Fincastle, and left one son, Dr. James L. Woodville, of Monroe, County Virginia, who married Mary, a daughter of Cary Breckinridge of Botetourt, and has issue.

V. Susan married Capt. Henry Massie of Alleghany Co. and left issue, 1. Henry, who married Miss Smith, and has issue. 2. Dr. Thomas, who married the widow of his cousin Waller Massie, of Ohio, and left at his death in 1864, two children. 3 Sarah married Rev. F. Stanley, M. A. and died without issue, 4 Mary married John Hampden Pleasants

and left two children, 1. James married and has issue. 2. Ann Eliza, who married Bazil Gordon of Fredericksburg Virginia, and has issue. 5. Eugenia, married Samuel Gatewood, and left isssue.

VI. Ann Montgomery Lewis, who married John Howe Peyton, and left issue at her death in 1850.

1. *John Lewis*, who married Henrietta E. C., daughter of Col. J. C. Washington of Lenoir County, North Carolina, has issue, one son, born 27th January 1872, in the island of Guernsey, Great Britain, namely Lawrence Washington Howe Peyton.
2. Yelverton Howe unmarried.
3. Susan Madison married Colonel John B. Baldwin of Augusta County, Virginia, a son of Judge Briscoe G. Baldwin.
4. Ann Montgomery died unmarried.
5. *Mary*, married Robert A. Gray of Rockingham County Virginia, and has issue
6. Elizabeth married William B. Telfair of Ohio and has issue.
7. Lucy, married Judge Jno. M. Hendren of Virginia and has issue.
8. Margaret Lynn, married George M. Cochran, junior of Staunton, Virginia, and has issue two sons, 1. Peyton, 2. Baldwin.
9. Virginia married Col. Jos. F. Kent, of Wythe, County Virginia, and has issue, one son.
10. Cornelia, married Dr. Thomas, and has issue, two sons, 1, Peyton, 2, Baldwin.

VII. *Margaret Lynn Lewis*, married John Cochran, of Albemarle, and has issue, 1 Judge John Lewis Cochran, who married the widow of Dr. Thomas E. Massie, and has issue. 2 James, who married an heiress, Miss Brooks, of Smith's-folly, Augusta county, and has issue. 3 Dr. Henry. 4 Howe Peyton, who married a daughter of General Edward Carrington, and has issue. 5 William Lynn, 6 Mary Preston, who married John M. Preston and has issue and 7 George Moffatte.

VIII. *Eugenia Lewis*, who married Dr. John Goss, and left issue. A tolerably full history of the Lewis family, will be found in "Howe's History of Virginia," under head of Augusta County.

APPENDIX D.

EXTRACT FROM THE WASHINGTON PEDIGREE,

FURNISHED TO THE AUTHOR BY

JOHN WASHINGTON, BROTHER OF THE HON. WILLIAM H. WASHINGTON, MEMBER OF CONGRESS FOR THE NEWBERN, (NORTH CAROLINA) DISTRICT.

I. *Sir William Washington*, Knight of Packingham, county of Leicester, married Anne Villiers, half-sister of the Duke of Buckingham, and left two sons, both of whom settled in the colony of Virginia,

1. JOHN, who married Ann Pope, and left issue one son, namely,

   Lawrence of Bridge's Creek, Westmoreland County, Virginia, who married Mildred, daughter of Colonel Agustine Warner, and dying in 1697, left issue, *three* sons, namely: 1. John and 3 Lawrence, both of whom married, and left issue,

but of them it is unnecessary to speak, and secondly,

2. Augustine, who married Mary Ball, of Alexandria, Virginia, and by her left issue, one son, the illustrious Washington, founder of the United States, and called the "Father of his Country."

II. Lawrence, who married and left a son John, who settled in Pittsford, North Carolina, whose eldest son John, of Newbern, N. C., married Eliza, daughter of John Cobb, of Lenoir County, and left issue,

1. John Cobb, of Vernon, near Kinston, Lenoir Co., N. C., a member of the North Carolina State Constitutional Convention, of the Secession Convention in 1861., etc., and J. P., who married Mary Ann Edmunds, daughter, of the late Southey Bond, of Raliegh, one of the descendants of the Mayflower Colony of "Pilgrim Fathers," and has issue, two daughters:
   1. Mary Ann Edmunds, who married Major Wm. Augustus Blount, and has issue: 1 John Washington, 2 Wm. Augustus, 3 Eliza, 4 Annie, 5 Mary, 6 Olivia.
   2. Henrietta Eliza Clark, who married *John Lewis Peyton*, of Shirley, Augusta Co., Virginia, and has issue one son, viz: *Lawrence Washington Howe*, born in the Anglo-norman isle of Guernsey January 27th, 1872.

Augustus, M. D. of the University of Paris, who married Anna, a daughter of William Livingston, of the State of New York, and left issue a large family.

III. *George*, who married first Catherine, a daughter of Dr. F. Dennison, of South Carolina, and has issue, 1. George Lawrence, who married in Cuba, and resides there in 1873. 2. Catherine, who married Henry Bond, of Morgantown, N. C. He married 2nd Louisa, a daughter of General Hernandez, of Cuba, (a grandson of Philiphe Hernandez, author, etc.;) and has issue, 1. Louisa, 2. Augustus, 3. Eliza, 4. John. 3. Annetta. He married thirdly Elizabeth, daughter and co-heiress of the late J. B. Stevens, of Newark, New Jersey, and has issue 1. George, 2. John.

IV. *Eliza*, married 1st. Franklin Grist of North Carolina, and left issue, two children, 1. Franklin unmarried. 2. Eliza, who married Dr. James Hughes, of Newbern, North Carolina. After the death of Mr. Grist, his widow married Dr. R. Knox, and has issue, 1. Augustus Washington, 2. Elizabeth.

V. *Ann*, who married James Heritage Bryan, and left issue, 1. James Augustus, who married Miss Sheppard, of North Carolina, daughter and co-heiress of Judge Donald, of that State, 2. Washington, unmarried 3. Laura.

VI. *Susan*, who married the Hon. William A. Graham, twice Governor of North Carolina, long a United States Senator for that State, and Secretary of State for the Navy department in the Cabinet of President Fillmore. Governor Graham was the Whig Candidate in 1852, for the Vice-Presidency of the United States, General Winfield Scott being the Candidate for President. They have issue, 1. Joseph, (a North

Carolina Senator) who married ——, and has issue, 2. John Washington, also a member of the Senate of North Carolina, who married a daughter of Paul Cameron, of Hillsboro, and has issue, 3. George W. 4. William A; 5. Augustus, 6. Susan.

VII. *Mary*, married Joseph Graham of Canton, Arkansas, and has issue.,

His second son left issue, from whom are sprung Hon. William H. Washington, of Newbern, and Richard Washington, of Goldsboro, all of whom married and have families.

INDEX.

Absalom, 221.
Adams, John Quincey, 197.
Advice on Marriage, 81.
Advice to a son, 11, 21. Cato's, 218.
Address to the people of Virginia on Senatorial Election, 100.
Advice to Children, 169.
African Nurse, anecdote of, 52.
An African Valet, 166.
Anderson, J. T., 119.
A family group—interesting one —300.
Affectionate disposition, evidence of his, 165.
African race, mental inferiority of, 235.
A good master, 170.
Addison, Jos., 201.
Ahasuerus, 221.
Ajobardus—Bishop of Lyons—his wise views, 180.
Alexandria, The "fool's tax" in, 180.
Alexander the Great, 251.
Alexander, Archibald, 168.
,, James and Joseph A., 16.
Aid-de-Camp to Govenor of Virginia appointment to, 98.
America, official delinquencies in, 166.
Ambition, his want of, 55.
Amusing trial of a horse-thief, 61.
Anderson, Joseph R., 86.
Anecdote of a gallant boy, 11, 12.
,, ,, General Andrew Jackson, 63.
Apoplexy—a form of disease common to the Peytons, 305.
Alleghany, Virginia, the district beyond, 131.
Ameliorating effect of public work on the population, 144.
American government, one of economy, 197.
Anarchy worse than the worst Government, 250.
Argument of Wm. M. Peyton in behalf of public works, 133—165
Armed neutrality recommended to Virginia in 1861, 281.
Aristocracy, the Shoddy, 298.
Astrologers, foolish belief in, 181.
Aspirations, the folly of political, 218, 219.

Baldwin Briscoe, G., 6, 92. His character, 95.
Baldwin J. B., 240, 306.
Bayly Thos. H., 189. 190.
Barnett, David, 119.
Berlin decrees of Napoleon, 4.
Barbour, James and Philip, 6, 240.
Benton, Thos. H., 124.
Bayard, The modern, 210.
Beauty and booty, 37.
Berrian, John M., 16.
Beautiful Virginian scenery, 168.
Blair F. P., 3.
Boys, Dr Wm., 22.
Boyden, Rev. E., 44.
Boys, Mrs. Wm. 75.
Boone county, 231.
Beaumont, Francis, (Colleague of Fletcher), 51.
Boy, a gallant, 11, 12,
Biography, motive for writing, 2.
Brown, Mrs. Fanny Peyton, 74.
Brown, Orlando, 3.
,, John, 2.
,, Neil, 8—294.
Braddock—his defeat, 187.
British people, early ignorance of, 202
Beale, Chas., 86.
Bowyer, Harry, 86.

Botts, John, minor, 86. 240.
Bowcock Thomas, 240.
Burrell, Chas., 86.
Bell, John, 237, 294.
Boyce, W. W., 266. His views against Secession, 267.
Border States, their interest imperilled by secession, 249.
Brown, Governor, of Georgia, 300.
Blackberry wine, anecdote of, 24
Breckenridge, Robert, J., 2, 16,
,, Major John C., 2, 16.
,, Cary, 86.
Blackburn, General Sam., 6.
,, Mrs Anna, 84.
Bryan, John Randolph, 17.
Bryan House, 74.
Brutus, 206.
Brobdignags, 219.
Burning Clients' bonds, 57. 58.
Buddha, 23
Brokenborough, J. W., 92.
Bruce, J. E., 86.

Cato, Valerius, 24.
,, advice to his son, 234.
Campbell, governor of Virginia, 86, 98, 99.
Castlemen, T. T., Rev., 73.
Canada Conquered by the English, 187.
Carlile, John S., 240.
Cannel coal discovered in Virginia, 231.
Calhoun, J. C, 171.
Catholic Church in Monrose, 176.
Clay, Henry, Whig Candidate, in 1844, for Presidency, 225, 228.
Claiborne, Stirling, 7.
Clients. their bonds burnt 57.
Clarke, General, 98.
Clarendon, Earl of, 88.
Chesapeake bay—the American mediterranean, 131.
Celsus, his advice for preserving health, 21.
Clinton de Witt, 135.
Chaucer, Geoffrey—founder of English poetry, 30.
Cicero, 24.
Christ rebukes a proud mother, 9.
Coulter Judge, 6.
Combat with Van Bibber, 20.
Courtesy of England, 44.
Coercion—a Government right, 261.
Coal mining in Virginia, 233.
Cowper, William, 170.
Carrick's ford, battle of, 290.
Compromise, Bill of, 1850, 237.
Comets, appearance of — once supposed to indicate evils, 184.
Conrad, Robt. Y., 92.
Course of a patriot in the public councils, 99.
Confidence inspired by a good man, 99.
Correspondence, the attention of a gentleman to friendly, 165.
Constantinople, fall of, 87.
Conservative party of Virginia, 116, 117.
Crittenden J. J., 266.
Crichton, James, 23.
Cromwell, Oliver, 218.
Crusaders — their superstitions, 179.
Crutchfield, Oscar M., 95, 119.
Cushing, M., 74.

Dahlgren, Col., his diabolical plans, 273—276.
Davis, Jos. W., 119.
,, D. C., 7, 86.
Daniel, Judge Wm., 95, 150, 152.
David, King, 221.
Daniel, John M., 240.
Deprecations of Civil war, a patriot's, 248.
Debt due to the dead by survivors, reflections on, 185.
Death of Balie Peyton, junior, 296.
Diogenes—his opinion of the best wine, 24.
Digressions in writing — their value to a book, 35.
Dibden, Thos. Frognall, 50.
Dickerson, Daniel S., 249.
Divisions amon Virginian families by the civil war, 298.
Dinner table, the manners of a gentleman of the "old school" at, 87.
Duty, a conscientious man's idea of, 59-60.

Domestic life in Roanoke, 169.
D'Orleans, Father—his fictions inventions 178.
Dupes always ready found by Charlatans, 180.
Douglas, Stephen A., 237.

Eastern Empire, fall of, 87.
Early, Gen. J. A., 240.
Edmundson. J. P., 86.
Edmunds, J. R., 129.
Education, popular, advocated, 200, 204.
English literature, Augustan period of, 201.
England, cause of her war with U. S. in 1812, 3, 4.
Enquirer, The Richmond, 210.
Eskridge, Alexr. P., 86, 302, 304, 307.
Elmwood, Roanoke, 89, 90.
Executive power, Danger of an extension of, 109, 111.
Executive patronage, 124.
Eulogy on Henry Clay, 227.
Ewing, E. H., 294.
Evil supposed to follow appearance of a comet, 184.
Escape of Col. Peyton from New York, 190.
Experienced member of the Legislature, 212.
Extremist, prevented a settlement between North and South in 1861, 258.
Express (Newspaper) Editor's introduction to Col. Peyton's letter, 245.
,, ,, second letter, 278.

Fabian policy, 254.
Falkland, Lord, his life near Oxford, 88.
Failure to secure success in life is mainly due to want of ambition, 55.
Festive Scene at the "Bryan house," 76, 79.
Federalism, a Locofoco's horrow of, 213.
Fitzpatrick, Mrs Lovie, 31, 33.
Fillmore, President, 249.
Fire, destruction of family papers by, 90 (note).
Florida, life there, 52.
,, how acquired by United States, 189, 271.
Floyd, John B., 86, 241.
Florence and the Medici, 87.
Flournoy, Thos., W., 86.
Fools tax in Alexandria, 180.
Fontaine Ed., 116.
Fraternal affection, 45, 46.
Friendship, an old author's idea of, 60.
Free-schools, in Va., views in favour of, 200, 210.
Fultz, D., 70.
Gaston, William, 16.
Gamaliel—President of the Sanhedrim, under Tiberius, 213.
Gall, Francis Jos. 65.
Garnett, General R. S., 241.
Gentlemen—the Virginian of the old school, 41.
Gilmer, T. W., 86.
,, J. H., 240.
General Knowledge, value of, 174.
Goggin, Wm., L. 86.
Good Moses, C., 116.
Griffeth, Dr., 86.
Greenbrier river, named by John Lewis, 30.
Gray, Col. A. S., 87.
Government, the three basis on which all rests, 153.
Gratton, Peachy, 240.
Greece, flight of wise men from 87.
Gulf States, their political follies, 249.

Hay, George, 6.
Habits, a boy's good, 61.
Halcombe, J. P., 86.
Hamilton, Alexr. 261.
Harrison, Randolph, 86.
,, Peyton, 87.
Hartford convention, 5, 270.
Hamon, 224.
Hill, Berry, or Bury 33.
Health, how to preserve, 21.
Hessian prisoners, how employed in Virginia, 31.
Harrison, Mr. 64.
Hot Springs, 81.
Host, an accomplished, 87.

Houston Russell, 294.
Hosea, one of the minor prophets, 201.
Holy legends and the like refuted, 177, 179.
History is philosophy, &c., 250
Howard, Benjamin, 3.
Howard, John, 86.
Hunter. R. M. T, 240.
Huntersville, A lawyer among his clients there, 56.
Hunt,—, 249.

Icarius, 9.
Improvements, modern, 41.
Impression made in the Virginia Legislature by a young member, 99,
Internal improvements in Virginia, 131, 132. Peyton's speech, 133, to 165.
Impression made by beautiful Scenery, 168.
Illinois, how formed, 188.
Indiana, ,, ,, 188.
Inscriptions on the Peyton tombs in Cambridgeshire, 337.
Ignorance, effects of an early British people, 202.
Inexperienced member of the Virginia Legislature, 212.
Improvements in the people of Virginian from his mining operations, 233.
Introduction to Col. Peyton's 1st letter on seeession, 245.
,, 2nd letter, 280.
Isleham, Co. Cambribge, visit to, in, 1870, 337.
Isleham, in Western Virginia, 166.

Jackson, Gen. A., 61, 63, 237.
,, John J., 246.
Jews, ignorance, the cause of their ruin, 201.
Jefferson, President, 3, 10. His good rules, 11. His educational plans, 205.
Johnson, Chapman, 6, 102, 106.
,, ,, junior, 76, 79.
,, Andrew, 299.
,, Cave, 294.
Jones, Sir Wm. 23.
Joseph's bones carried into Canaan after they had been embalmed 400 years, 308.
Joab, 221.

Kenawha river, 85
Kindly Acts of a good man, 91.
Knowledge, the advantage of both special and general, 174, 175.
Knowledge, lack of, among the Jews, the cause of their woes, 201.

Lands, the history of the public of U. S. 186, 188.
Laws of warranty in Virginia, 7.
Langhorne, Mr. 86.
Lewis, Major John, 10, 176.
,, Ann Montgomery, 10.
,, Col. John, Pioneer, of Augusta Co, 30.
,, General Andrew, 30.
,, Meriweather, 98.
,, Col. Wm. S. 86, 171, 175, 176.
,, Hon. John, United States senator, 240.
,, Hon. Chas. H. 240.
Letcher, John, 240, 242.
Lee, Sir Henry, 297.
,, Chas. Carter, 86.
,, General R. E. 241, 244.
,, Mrs. R. E. 245.
Legislature, life in, 99.
Leigh, B. W. 120, 121.
Legal profession, to succeed in, real merit is necessary, 48, 49.
Letter to the Author from his brother, 299.
Lincoln, President, 252, 277.
Letters and papers lost during Civil War, 50.
Lisle, Mrs., 73.
Library, the Peyton, 50.
"Little great men", 219.
Louisiana, 189, 271.
Lovers, the victims of astrologers, 83.
Locofoco party, 210, 215.
Lyons, James, 86.

Marshall, T. F., 3,

Madison, Wm. S., 2.
,, James. 2, 3, 5, 261.—269.
Marshall, Jno. 6.
Maimbourg, Lewis, his falsehoods, 178, 179.
MacDowell, James, 2, 86.
,, Mrs. Bob., 73.
Macon, Nath., 16.
Mahomet, 23.
Massinger, Philip. 80.
Marriage, advice on, 81.
Madness of S. Carolina's political course, 255.
Mansion, Col. Peyton's, consumed by fire, 90.
Mason, J. Y., 110.
,, J. M., 92, 240.
Mayse, George, 214.
Munford, Wm. P., 222.
McClellan, Gen. G.B., 291.
Meigs, R. I., 294.
Morgan, L. D., 294.
Mercer, C. F., 16.
Mezzofanti, Guiseppe, 23.
Magnanimity, anecdote of, 56.
Montgomery Hall—life there, 28.
Moone, S. McD., 72, 240.
Monbeddo, Lord, 67.
Middle States, their political influence in Union, 254.
Mosby, C. L., 86.
Medici, the, 87.
,, Cosmo de, 87.
Mexico, threatened war with, 98.
Michie, T. J. 92.
Michigan, State formed, 188.
Miller, Bowyer, 210—214.
Moderation in Opinions taught, 172, 173.
Mill Spring, battle of, 295.

Napoleon, 4, 10.
National Bank, 107.
Nature, a love of, 59.
Natural Bridge, Va., 168.
Ned Phipps, 166, 168.
Northern States responsible for the Civil War, 252.
Newton, Sir Isaac, 13.

Orders in Council, British, 4.
Oregon, boundary line, 98.
Oratory, when an instrument of evil, 69.
Old Chap, 78.
Opportunity necessary to success, 77.
Oliver Major, 86.
Ottomans threaten Western Europe, 87.
Official delinquencies in America, 116.
,, qualification, the Washingtonian Standard, 226.
Office holders not always the most deserving, 221.
" Old Dominion," 164.
O'Farrel, John, 119.
O'Conor, Chas, 249.
Open house, 299.

Party spirit reckless in America, 62.
Patriotic spirit, 209.
Peyton, John Rouse, 17.
,, John 16.
,, John Howe, 2, 5, 6, 9, 62, 66, 67. Speech of against a horse thief,—his idea of a fiddling lawyer, 78. Elected Senator, 98. Moderate opinions, inculcated by, 172, 174. His ideas of the power of general knowledge, 174. A patriarchal master, 170. His discourse on holy legends, astrology and common superstitions, etc., 177, 184.
,, Henry, 6.
,, Susan Madison, 8, 9.
,, General Bernard, 86.
,, Hon. Balie, 294.
,, Balie, junior, his death, 296. Col. Wm. M., his address to the people of Virginia, 100. Appointed aid-de-camp to the Governor of Va., 98. His want of ambition, 55. His internal improvement speech, 133, 165. His mansion burnt, 90. His firmness

and incorruptibility, 213. His denunciation of repudiators, 225, 228. His conduct to friends, 229. His discovery of Cannel coal fields 231. His letters to Mr. Rives, 245, 276. His second letter, 280. His unemployment during the war, 297. His death and character, 301, 309.
,, Major Benjamin H, 86.
Peytona, town of, founded, 232.
Pedigree of the Peyton family, 313
,, of the Preston family, 355
,, of the Lewis family. 375
,, of the Washington family. 380
Payne Bar, G. 119.
Park, Geo., 119.
Paraffine discovered 232.
Peaceable secession an absurdity 260.
Pliny the younger believes a friend necessary to our success, 77.
Phrenology, amusing anecdote of, 66.
Party, the Conservative, of Virginia, 116.
Preston, William Campbell, 2.
,, James Patton, 2, 86.
,, Elizabeth, 2.
,, William, 2,
,, Wm. Ballard, 86, 129, 240.
,, Robert, 86.
,, Walter, 86, 303,
Pennsylvania, her system of internal improvement commended. 145, 147.
Porterfield, Gen. Robt., 5.
,, Geo. H., 291.
Pocock, Ed., 23.
Poetical taste an evidence of a refined mind, 24.
Pope Pius, IX., sought to be converted, 176.
,, Alexander, 201.
Political aspirations, folly of, 218.
Pocohontas, C.H., Conflagration of Clients' bonds, 58.
Peidmont, district of Va., 131.
Prophetical forecast of the results of Secession, 287.
Prichard, an illiterate Locofoco, 209. His stump speech, 217.
Presidential election of 1860, 235.
Pryor, R. A., 240.
Plot to defeat a gentleman, 210.
Political Doctors, 198.
Popular Education, 200, 208.
Pegram, John, his surrender of 2000 Confederates, 292.
Presbyterian stronghold invaded by Romanists, 176.
Public lands of the U. S., history of, 186, 225.
Public improvements, argument against the three-fifth principle, 154, 160.
Princeton University, course of Study in, 17.
Popular estimate of Col. Peyton, 19, 20.
Prideaux, 23.

Randolph, Edm., 6.
,, Thomas J. 86.
Radford Wm., 86.
Republic, the better days of, 62.
Responsibility, Gen. Jackson always ready to assume this, 64.
Read, T. C., 86.
Reform, advocated by the Virginian Whigs, 225.
Reconstruction of the Union, impossible in 1861, 263, 265.
Rives, Wm. C. 86, 95, 108, 240, 278,
,, Alexr. 86, 240.
Republic, Education necessary in, 202.
Riches fly away, (illustration), 299.
Rich, mountain Confederates' retreat from, 291.
Richmond Enquirer, 210.
Ritchie, Wm. 240.
Rowze, Dr. L., 17.
Rous, Rouzee, &c., 17.
Roanoke Co. established, 99.
Rivers of Virginia, 180.
Ritchie, Thomas 120, 121, 210, 311, 318.
Rockbridge, 168.
Roman Catholics in the middle ages; 178.
Runnymede, 250.
Rush, Richard, 16.
Rules of life, Thomas Jefferson's, 11.
Ruffin, Edmund, Commits Suicide, 90.

Sardoval, Bishop of Pampeluna, his fictions, 179.
Search, right of, 3.
Sallust, 234.
Seymour, Horatio, 249.
Segar, Jos., 240.
Secession, peaceable, an absurdity, 260
not a reserved right, 268.
Sheffey, Danl., 7.
Shanks, Thos., 80, 93, 119,
Sherrard, Jos. H., 119.
Shands, Wm., 119.
Sims, Dr. J. Marion, 47, 278.
Sully, T., the painter, 49.
Spurzheim, Johann Gaspar, 66.
Smith, Ben., 92.
Solomon, his idea of strife, 243.
Scott, R. E., 240, 92.
Southern Congress, proposed by South Carolina, 237.
Scott, Gen. Winfield, 237.
Sic Semper Tyrannis, the motto of Va., 287.
Slavery, bright side of, in Va., 170., Cause of Secession, 252.
Stuart, Thomas J., 28.
,, A. H. H., 120, 92, 240.
,, Chas. A., 30.
Southall, V. W., 92.
Stone House, The old, 36, 38.
Summers, G. W., 92, 129.
Sub-Treasury, 121,
Stack, Leonora, 176.
Suffrage, Universal, dangerous unless the people are educated, 204.
South Carolina, her course on secession condemned, 254,
,, contrasted with Virginia 254
St. Peter discoved by his accent, 293.
Stump Speeches, 94.
Secretary of Legation to Paris, 96.
Steele, Sir Richard's idea of a great man, 220.
Shoddy Aristocracy, 298
Swift, Dean, 201.
Superstitions, Early. 31, 33, 183.
State proxy to James River and Kenawha Canal, 2 1.
Summary of the causes which justified Virginia in seceding, 282

Taylor, Sir Hy. 1.
Taylor, E. A. E., 35, 36, 80.
,, Hon Allan, 35.
,, Dr. John B., 86.
Tolfair, Mrs. J., 74.
Tariff of 1840, 196.
,, favoured by Whigs, 225.
Tazewell, L. W., 6.
Thompson, Eliz., 35.
Travelling, a general desire, 51,
Trigg, Robert, 92.
Tide Water, Virginia, 131.
Truth and reason, their value, 174
Texian revolt, 98.
Turner, Rev. Jesse, 91.
Tucker, H. St. Geo. 7.
Turks threaten Europe, 87.

Ulysses, 52.
Ultra-Democratic party, 210.
U. S. Government, the best ever vouchsafed to man, 249.
Union, a central one advocated, 259.
,; a love of among Virginians, 235.
Unfortunates, how treated, 298.

Van Buren, Martin, 95, 210.
Van Bibber. T., Combat with, 20.
Valentine, Ed., 86.
Venable, N. E., 119, 129.
Voltaire, 218.
Vossius, his false stories, 178.
Virginia, her territorial extent and and general aspect, 131—Her great history and services, 254-56; Cannot follow S. C. with self respect, 256; State Convention, 248; Seceedes from the Union, 213: Her exposed position in event of civil war, 260, She rebels, 286; Address to her people, 100.
Virginia landscapes 59. Early days in, 7, 8. 25, 30, 41. Want of improvements in Western, 92. Valley of, 131. Rivers of, 130. Natural divisions, 131.

Washington, 224. Standard of Official qualification, 225, 254.
War in the Union or out of it, 254,
Watts, E., 86.
Wesley, 262.
Walton, Bryan, 23.
Williamson, Capt. 39, 70.
Wickliffe, R., 3.
Wickham, J., 6.
Wirt, W., 6.
Willis, N. P., 17.
"Whig Society," 22.
Wife, choice of, 60.
Wilmer, Bishop, 86.
Wise, H. A., 240.
,, O. J., 240.
Willey, W. J, 240.

Wisconsin, of what territory formed, 188.
Wickedness punished, 221.
Whig meeting in Roanoke, 228.
Whippers-in, political, 211.
Witcher, Vincent, 86.
Wise men fly from Greece, 87.
Whitfield, 202.
Wythe, Geo., 6.
Woodville, J., 86.
Whigs of Virginia, their character, 112.
Wright, Silas, 121.
White, family of papist, 176.
Yerby, Mr. Delegate for Accomac, 129.
Zollicoffer, Gen., his death, 295, 296.

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Guernsey, 2 Janvier, 1870.

Mon cher Colonel,

J'ai lu avec le plus vif intérêt votre excellent ouvrage. Vous m'exprimez, sur la première page, des sentiments qui me touchent vivement. Je suis votre concitoyen en liberté et en humanité.

L'abolition de l'esclavage a rendu l'Amerique à elle-même ; désormais il n'y a plus ni Nord, ni Sud ; il y a la grande République. J'en suis comme vous.

Recevez, Colonel, mon cordial shake [of the] hand.

VICTOR HUGO.

Colonel John Lewis Peyton.

"That these works possess unusual merits we feel safe in asserting. One merit—it is not in our eyes a slight one—is, that Col. Peyton everywhere 'writes like a gentleman.' The age we live in has carried its 'fast' and 'slap dash' propensities into literature. Repose, simplicity, and that charming *unreserve* which characterizes the well-bred Author as it characterizes

the well-bred gentleman in society, become day by more rare. * * The style of Col. Peyton is that of a gentleman writing for persons of culture and intelligence. His descriptions and comments possess great directness and picturesqueness, mingled with a natural and agreeable humour; and renders his volumes extremely agreeable reading. * * The works would prove highly successful, we think, if re-published in America.

JOHN ESTEN COOKE,

(In the *Southern Review.*)